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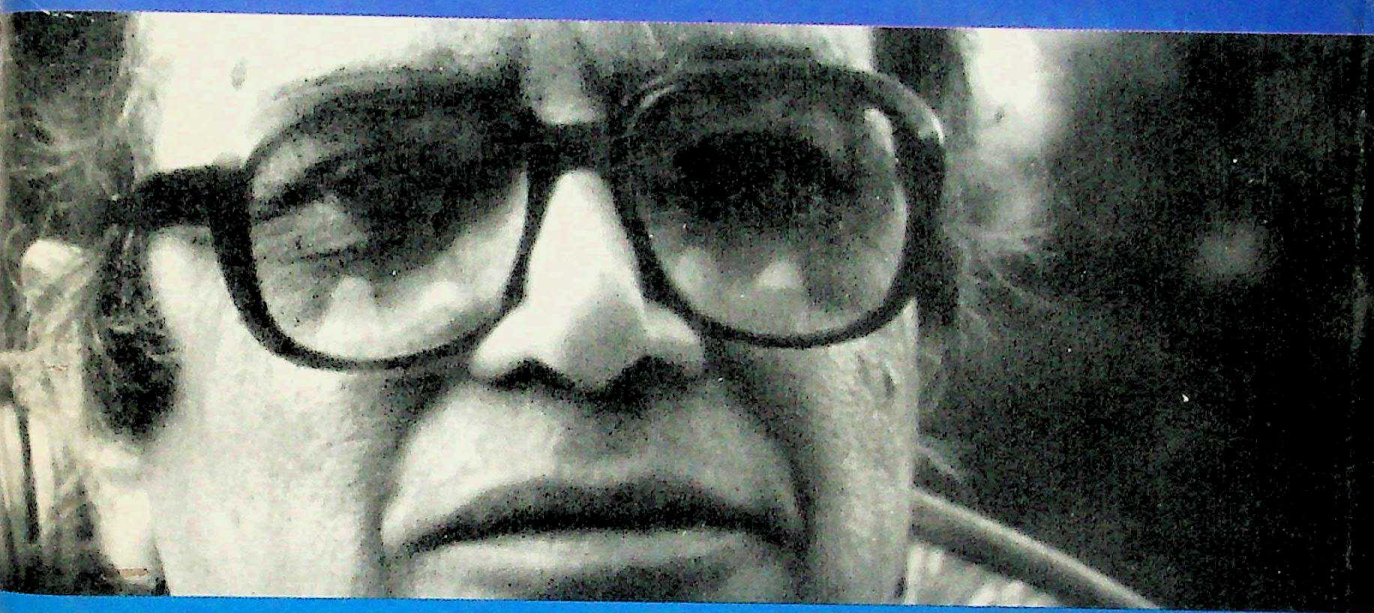

Soul and Structure of GOVERNANCE IN INDIA

With A Concrete Blueprint For Reforms :

Re-kindling the Power of India's Mind
Reawakening Her Soul
New Designs For Her Institutions
Creating Leadership With Vision And Will
Building An Ethically And Organisationally Strong State

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About the Book

The Soul and Structure of Governance in India is a path-breaking work of a profound thinker who has the practical experience of having served the nation as Lt. Governor/Governor for about ten years, Member of Parliament for about fourteen years and Union Cabinet Minister for about five and a half years.

The book builds up, against the backdrop of history and contemporary events, both national and international, a case for an ethical state and ethical governance machinery which rest upon three main foundational planks – a rekindled mind, a reawakened soul and a set of redesigned and revitalized institutions. It underlines that such a state and such a governance machinery alone can enable India to attain its full potential, and if it fails to do so it could soon find itself writing another grammar of anarchy, adding another inglorious chapter to its history of about one thousand years of darkness.

The author underlines: "The task of implementing the blueprint is a formidable one. It would call for courage, commitment, insight, historical perspective and creative and constructive powers of the highest order – the order to which post-1947 leadership has so far come nowhere near. Today, a truly historic challenge stares us in the face."

Jagmohan concludes by making an impassioned plea: "Let history not condemn us. Let us not be written about as unworthy people who did not have the perception to see the challenge, or having seen it, did not know how to tackle it. Let it not be said that we were hollow men and women, who were made of poor clay, who nursed shallowness like a treasure, who made only pompous declarations, who betrayed a great heritage, who invariably opted for soft options and left dangerous infections in the roots unattended. Let it, on the other hand, be recorded that we were aware of our potential and strained every nerve to use it to the full. The worst verdict of history could be that we did not even attempt to set our fundamentals right and solve problems of far reaching consequences for our future."

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Joseph Thomas
Chandigarh
June 9, 2005

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SOUL AND STRUCTURE OF GOVERNANCE IN INDIA

JAGMOHAN

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To

Radhika, Sonali and Devika
Three Young Girls
Who, I Trust,
Would Face The Future
With A Rekindled Mind and Reawakened Soul

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I owe a deep debt to my family members – my wife Uma, my daughter Deepika, my son Manmohan, my son-in-law Rajiv Kapoor and my daughter-in-law Nutan Manmohan. But for their reverential and encouraging attitude, I would not have found a congenial environment at home for undertaking an onerous task of writing a book in difficult times, covering a wide range of complex issues. Thanks are also due to our long-time domestic helper, Shri Chitra Bahadur, for providing hot cups of tea at the right moment and for extending a helping hand in tracing references.

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PREFACE

There are seasons, in human affairs, of inward and outward revolution, when new depths seem to be broken up in the soul, when new wants are unfolded in multitudes, and a new and undefined good is thirsted for. There are periods when the principles of experience need to be modified, when hope and trust and instinct claim a share with prudence in the guidance of affairs, when, in truth, to dare is the highest wisdom.

W. E. CHANNING[1]

I am not sure whether a season for inward and outward revolution has come for India, whether new depths would break up in her soul, whether a new and undefined good would be thirsted for by her, whether hope and trust and instinct would claim a share with her prudence and whether she would attain her highest wisdom by daring. But I have no doubt that, unless India is soon visited by such a season of inward and outward revolution and she attains her highest wisdom by daring, she faces a bleak future and shall waste her potential of creating a happy, harmonious and elevating design for life, not only for her own self but also for the rest of the world.

The central motivation for writing this book comes from the need to acquaint the people with the above belief of mine and to suggest to them ways and means of building a great India in accordance with her tremendous potential.

All the four previous books written by me – *Rebuilding Shahjahanbad: The Walled City of Delhi; The Island of Truth; The Challenge of Our Cities;* and *My Frozen Turbulence in Kashmir* – revolved around my deep personal involvement with the issues of great public importance. The analysis was based on my first hand

[1]W.E. Channing was a famous American Unitarian preacher of the 19th Century.

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knowledge and it was carried out with what late Dr. Mulk Raj Anand, the doyen of modern Indian literature, had called "my addiction to truth".

In the first book, *Rebuilding Shahjahanabad: The Walled City of Delhi*, I had brought out how the ancient city had suffered grievous wounds at the hands of history, and how the present-day marauders were robbing it of whatever little beauty and strength it still possessed. I had also indicated how the old wounds could be healed, how the city could be saved from its new ravishers, and how in its narrow but exciting lanes and bye-lanes an intellectual and cultural ferment could be created and how this creation in turn could bring about a renaissance not only in the city but also in the country.

In my second book, I took the readers to my *Island of Truth* – an island which had been surrounded by a turbulent sea of falsehood and systematically ravaged. I was able to show them the spots from which the reality emerged and reflections of truth could be seen even in a cracked mirror. It soon came to be accepted by the public in general that it was wrong to look at the outward manifestations of what was really an inward disease, and the unfortunate events of the Emergency and post-Emergency periods (1975-1979) were merely the fallouts of this disease.

Out of my intense encounter with cities was born my third book – *The Challenge of Our Cities*. It sketched the gathering storm on our urban horizon and warned that the mounting problems of urban poverty, urban pollution and urban indiscipline would soon take our cities to a point of no return. And this is what has nearly happened.

My fourth book, *My Frozen Turbulence in Kashmir*, laid bare the roots of the country's manifold problems that lie embedded in our soft and permissive state, in our spurious democracy, in our habit of nursing illusions and in our inability to shake off the unwholesome legacies of the past and formulate an elevating vision for our future.

While writing these books, I clearly perceived a common thread passing through them. And this common thread pertained to poor

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governance that had learnt to survive in a spiritual vacuum and even perfected the art of sleeping in the lap of ideological coldness. Five years of my subsequent experience as Union Cabinet Minister for Telecommunication, Urban Development, Poverty Alleviation, Culture and Tourism has deepened this perception, and I intend sharing it with my readers through the pages of this book.

I have titled the book, *The Soul and Structure of Governance in India* because I am convinced, as I was while writing my earlier books, that the changes in the structure, however important, would take us only from one blind alley to another, and true reforms lie in formulating and implementing a blueprint which incorporates the following four measures:

(i) *Rekindling the power of the Indian mind;*
(ii) *Freeing the long suppressed soul of India;*
(iii) *Providing a new structure to enable the rekindled mind and reawakened soul to express itself in a most creative and elevating way; and*
(iv) *Building a powerful and committed leadership rooted in non-acquisitiveness and constructing an inspirational reservoir for the nation in general and leadership in particular.*

Besides the last four chapters which unfold a blueprint for reforms, elaborating the above four measures, the book contains an introduction and ten other chapters. The *Introduction* explains what governance really means, particularly in the context of current realities, and what larger and deeper issues are involved in it.

Chapter I outlines the crisis of governance in India. It strikes a personal note and speaks of my feeling that there has been a grave national omission in attending to our fundamentals. It establishes that the downward descent of the governance machinery has been a common feature of both the pre-1991 and post-1991 periods.

The next three chapters (II-IV) look, against the backdrop of history, at the soul and structure of governance machinery in the Ancient, Medieval and British India. They revolve around the view that the present is sometimes nothing but the hidden past. Each chapter builds a proposition of its own.

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Chapter V delineates Patel's finest hour and describes how the great questions of the day were settled by him through his constructive approach and how the tottering steel frame was again provided with strength and stability.

Jawaharlal Nehru, in his speech in the Constituent Assembly in December 1946, had spoken of India's 'mighty past' and her 'mightier future'. Chapters VI and VII discuss events and developments, mostly from personal experience, which show how the 'mighty past' was not recaptured and how the 'mightier future' was allowed to elude us, both during the pre-1991 and post-1991 periods; and how inner and outer corruption and moral and social sickness have now seized our machinery of governance and rendered it incapable of liberating India's mind and soul and realising her full potential.

Chapter VIII highlights the special problems of urban governance and points a finger at the fast emerging phenomenon of super-urbanisation and super-impoverishment of urban poor and brings out – again on the basis of personal experience – how casually the nation is looking at this phenomenon.

The contours of the contemporary world are put under a sharp scanner in chapter IX, and it is argued, on the strength of irrefutable evidence, that those who are pressing the developing countries to effectuate good governance and are simultaneously applauding the globalisation of the type that is occurring at present do not understand the contradictions with which they are deceiving themselves and the poor nations around them.

Chapter X deals with the experience of important countries with regard to what has come to be known as New Public Management movement and indicates how a fresh breeze is blowing in some quarters and how the culture of public services is undergoing a fundamental change.

Chapter XI presents evidence in support of my contention that India once possessed a powerful and pure mind and dwells upon the need to rekindle that power and purity to facilitate acquisition of new insights and new nobility and spur the nation to a new level of creativity, compassion and commitment.

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In Chapter XII is underscored the importance of an awakened soul to provide the right kind of motivation to the people to manage the State and its institutions honestly, fairly and firmly. The chapter also outlines, as an overall *agenda for action*, six items of reforms which primarily concern the mind and soul of our governance machinery.

What should be the design of the reformed institutional set-up is the subject matter of Chapter XIII, and Chapter XIV provides a glimpse of what could be achieved on the ground with the type of approach that I have in view.

The book, in brief, builds up, against the backdrop of history and contemporary events, both national and international, a case for an ethical state and ethical governance machinery which rest upon three main foundational planks of a rekindled mind, a reawakened soul and a set of redesigned and revitalized institutions. It underlines that such a state and such a governance machinery alone can enable India to attain its full potential, and if it fails to do so it could soon find itself writing another grammar of anarchy, adding another inglorious chapter to its history of about one thousand years of darkness. In between the lines, the book has another message: there is no reason why India should make itself a second or third rate appendage of a cartel of a few rich and powerful nations who, notwithstanding their glorious achievements in some areas, have become excessively materialistic and acquisitive and are bound to cause a highly imbalanced world and make life disorderly and disoriented for most people inhabiting our little but lovely planet with finite resources. The book also attempts to put the nation in a higher trajectory of thinking and action.

JAGMOHAN

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About the Author

Shri Jagmohan is a truly many-splendoured personality. He has been an outstanding civil servant, Parliamentarian, Union Minister and original thinker and writer. Throughout his long and illustrious years in public service, he has worked, with an unmatched passion, for creating a model of fair, just and effective governance by fair, just and effective means. His zest for constructive work is well- known. So is his capacity to stand firmly against vested interests. He has earned a justifiable reputation for producing spectacular results on the ground.

Shri Jagmohan was the youngest Lieutenant-Governor of Delhi and the only one who held this prestigious office for two terms. During his second term, the capital had the unique distinction of successfully organising the Asiad, CHOGM and the Non-Aligned Conference (1982-83). Earlier, he served with great distinction in a number of key assignments, including that of Chief Executive of Delhi Development Authority for over seven years, and as Lt. Governor of Goa, Daman and Diu.

Shri Jagmohan has also the rare distinction of being nationally honoured twice by the President of India. He was awarded the *Padma Shri* for "making significant contribution to the formulation and implementation of the Delhi Master Plan and for playing a pioneering role in planning and implementation of projects". He was also awarded the *Padma Bhushan* for his "exceptionally meritorious services to the country". He was conferred the degree of Doctorate of Philosophy (*Honoris Causa*) by Kurukshetra University as well as by Guru Nanak University, Amritsar.

Shri Jagmohan was given a cultural award by the Australian Government. In the mid-sixties, he travelled around the world on a fellowship granted by the Indian Institute of Public Administration, New Delhi. He also attended several United Nations Conferences on 'Human Settlements', 'Habitat', Tourism, Culture etc. Shri Jagmohan's published work include over 300 articles in leading newspapers and journals and four books : *Rebuilding Shahjahanabad : The Walled City of Delhi; Island of Truth; The Challenge of Our Cities and My Frozen Turbulence in Kashmir*. The last publication has so far seen six editions. It has been translated into many regional languages of India.

Shri Jagmohan's intellectual and literary standing can be seen from the fact that his book *My Frozen Turbulence in Kashmir* was described by Mr. Michael Foot, who was once the Shadow Prime Minister of Britain, as "*a great book indeed and it tells me much more about Kashmir than I ever learnt from any other place*". On the same work, Dr. Mulk Raj Anand, a noted literary critic, wrote: "*It is a brilliant work, written with verve which derives its power from the author's addiction to truth*". His Sardar Patel Memorial Lectures, which were subsequently published under the title '*Challenges of Our Cities*', became a classic of Indian urban life.

Shri Jagmohan has held the office of the Governor, Jammu and Kashmir, twice. He also formulated and carried out the historic reform of the Mata Vaishno Devi Shrine. A household name in the country, Shri Jagmohan remained Member of Parliament for about fourteen years and Union Cabinet Minister for about five and a half years. He held charge of such significant portfolios as Communication, Urban Development, Poverty Alleviation, Programme Implementation, Tourism and Culture.

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INTRODUCTION

Epoch arises in the history of every country when the administrative machinery requires to be taken to pieces and overhauled, and re-adjusted to the altered necessities or the growing demands of the hour.

LORD CURZON

Good governance involves profound questions of the structure and soul of the governance-machinery. But, in our country, they have been, and are still being, dealt with in perfunctory manner. The roots of the issues are seldom identified and taken care of. Only nuts and bolts of the outer frame have been occasionally attended to and that, too, without any touch of originality. No serious attempt has been made to go beneath the surface, tap the hidden potential and re-orient and refertilise the underlying forces that shape individual attitudes towards honest work and create the right kind of motivation and commitment in the society as a whole. Nor has it been realised that unless governance-leadership makes simultaneous and sustained efforts to improve the quality and character of the governed, humane, enlightened, just, sound and dynamic governance would not come about. These aspects have been highlighted in the book.

That the system of governance, as it has operated during the past 57 years, has let down the Indian Republic on many a front would hardly be disputed. Apart from the need to remove its existing flaws, changes in the system are called for to meet the manifold challenges that are being thrown up by far-reaching social, economic, political and cultural forces that are being let loose by the process and pace of globalisation. Apart from the mind-boggling dynamics of change, the civil society and public institutions are acquiring a new architecture. Even the basis of absolute and

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exclusive sovereignty of the state is getting eroded and the number and influence of non-state actors are daily increasing.

Clearly, a vast array of complex problems that are arising cannot be tackled by the state alone or by any other single agency. But could they be tackled by what has been called a diffused, inchoate pattern, spread in a multi-centred world, over a variety of amorphous 'ethno-scapes', 'media-scapes', 'ideo-scapes', 'techno-scapes', 'finance-scapes'? And could the same pattern that is suitable for the rich developed countries be suitable for poor or developing countries as well, particularly a country like India which, at the peak of its cultural ethos, had evolved its own design for life, its own spiritually elevated value-system, and which, because of its civilisational heritage, has the potential of exploring superior alternatives? These crucial questions, which are usually ignored in the current discussions on governance and structural reforms, have also been discussed and answered in the book.

Meaning

The term good governance is so loosely used these days that few could explain its meaning in clear words. If you ask those who, parrot-like, go on talking about it *ad nauseum*, what it really implies, they would either start struggling for expression or blurt out words like 'de-regulation', 'privatisation', etc.

Governance is not the exclusive preserve of the Government. It extends to other realms also, such as civil society and the private sector. It encompasses, in essence, every institution and organisation, from the family to the state. It involves exercise of political, economic and administrative authority to manage the affairs of a nation. It denotes a 'steering' and 'rowing' capacity of a social system as a whole. It has many forms – visible as well as invisible, formal as well as informal, 'state-centric' as well as 'society-centric' and centralised as well as decentralised. It is, thus a multi-faceted phenomenon and admits of no precise or clear-cut definition. Much depends upon the predilection of the definer and his purpose in defining it. While the World Bank defines governance

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as "the manner in which power is exercised in the management of a country's economic and social resources", the UNDP puts it as "the complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations and mediate their differences". The Tokyo Institute of Technology makes the definition still more wide when it refers to it as "a complex set of values, norms, processes and institutions by which society manages its development and resolves its conflicts, formally and informally; it not only involves the State but also the civil society – economic and social actors, community based institutions and unstructured groups – at the local, national, regional and global level".

Role of the State

In the context of new concepts of governance and the fast and complex changes that are taking place both in the internal and external environment of nations all over the globe, the question is, what role should be assumed by the state and other components of the governance system to produce the best results? Two views are generally expressed in response to this question.

One view is that the state should 'row' the boat of governance and play a direct role. The other view is that best governance comes about only if the state plays a limited role of 'steering' the boat, leaving the task of 'rowing' to other actors, such as market forces, transnational corporations, non-governmental organisations etc. In the first view, the state manages and acts as a provider. In the second view, the state regulates and acts as a facilitator. The first view is encapsulated in the present-day political parlance as 'old governance' and the second view as 'new governance'.

The difference between the two views is not so deep as it appears on the surface. Whether the state 'rows' the boat of governance or 'steers' it, the state remains the captain of the boat, the overall in-charge, the real decision-maker. It is the state that evolves the framework of steering. It is the state's willingness to assign some roles to other actors that enable them to play their part unhindered.

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It is the state that makes the rule; it is the state that changes the rule; it is the state that maintains a collective order; and it is the state that sets national goals and strives to attain them. The state cannot, as some commentators would make us believe, be thrown into the dustbin of history.

Even unabashed marketisation is nothing but an expression of a political will, an end product of total social engineering that is brought about by the state and its national and international interests. The United States and other advanced states are today championing the ideal of marketisation and liberalisation because those who represent the political will of these states have come to the conclusion that the acceptance of such an ideal by the global community would serve their states best and enable them to play a dominant role in controlling the global economy and shaping the international power structure to suit their ends. These western states have, of late, been becoming more pro-active and pre-emptive in securing for themselves a role as a facilitator of trans-nationalisation of markets and capital and also acquiring a virtual control of the system of production and distribution. What would be the impact of trends of this nature on national and international governance is also analysed in this book.

In India, from August 1947 to the mid-eighties, the first view of governance was largely prevalent. The state 'rowed' the boat of governance in all kinds of waters – shallow as well as deep, muddy as well as choppy. But it did not bring to the task the high skills and high motivation that was needed. Consequently, governance began to falter. In 1990-91, it was caught in a vicious whirlpool. Its own rulers had the mortification of declaring it a 'failed state'. The financial crisis of the year, in fact, left them with no other choice. The international financial institutions would not provide the bail-out packet unless the second view was accepted and made operational. Privatisation, marketisation and de-regulation came in. Governmental centres of command and control started losing their power. The process is still going on. And India, partly by

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design and partly under pressure of global forces, is moving towards the direction of a minimalist state.

Will the new direction, unaccompanied as it is by deeper measures of reforms, such as those relating to mind and soul, provide better governance to India is yet another question that is examined in the book. The experience of reforms, recently introduced, under New Public Management movement, in other countries – United Kingdom, United States, Australia, New Zealand – has also been analysed with a view to assessing whether and to what extent these reforms are relevant to a comparatively weak state like India which has weak institutions and a weak social fabric.

The book also discusses what good governance really means and on what scale of values should it be evaluated and whether the values that are being currently propagated by the 'powers that be' would not result in increasing number of people in poor countries being stuck in history.

In essence, good governance means a system in which "all public power and public wealth are used only for public good". But here, too, a difficulty arises in defining the public good. While it would be generally agreed that public good lies in democracy, transparency, accountability, economic efficiency, stability, social advancement, just and speedy methods of conflict resolution, equity and overall multi-dimensional sustainable development,[1] there would be differences over the manner in which these values would be harmonised and balance in practice. And difficulties in this regard are compounded by the fact that in the ruthlessly materialistic world in which we live today, the gap between what is proclaimed and what is done by different components of the governance system is daily widening. Good governance must bridge this gap and set the

[1]The best definition of multi-dimensional sustainable development has been given in the UNDP's Human Development Report, 1994. It says: "Sustainable human development is pro-people, pro-jobs, pro-nature. It gives the highest priority to poverty reduction, productive employment and environmental regeneration. It brings human number into balance with the coping capacities of societies and carrying capacities of nature".

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goal of attaining overall spiritual and cultural elevation of man and his global community. Could India with its rich heritage of understanding the higher meaning and purpose of life, provide a model in this regard? This question, too, is touched upon in the book.

All in all, the book deals with larger and deeper issues of governance and, as briefly indicated in the Preface, offers concrete suggestion to tackle these issues. It underlines the point that there is a melody of life which lives only in our minds and souls, and without this melody a stirring and elevating music of governance cannot be composed.

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CHAPTER I

CRISIS OF GOVERNANCE AND ITS ROOTS

As long as the Indian mind is not reformed and the people remain what they are, no administrative, economic or constitutional reforms would save the country from the ever deepening quagmire of inefficiency, corruption and malpractices.

– AUTHOR[1]

We all ought to know that Swaraj will not be a better government or greater happiness for the people. Elections and their corruption, injustice, and the power and tyranny of wealth, and inefficiency of administration, will make a hell of life... Hope lies only in universal education by which right conduct will be developed. It is only if we succeed in this that Swaraj will mean happiness, otherwise, it will mean grinding injustice and tyranny of wealth.

– C. RAJAGOPALACHARI[2]

A Grave National Omission

I have seen public administration from different pedestals and from different angles. I have experienced its different strands, traversed many of its uncharted paths and passed through quite a few of its cold deserts and its pastures green. I have tried all the tools and techniques of modern administration, experimented with ideas that have brought about a managerial revolution in some advanced countries, explored practically all the avenues that lead to efficiency and effectiveness in work. But all along, I have felt, and felt acutely, that there has been a grave national omission in attending to our fundamentals. Neither has a healthy field been prepared nor a healthy seed provided. In these

[1]Jagmohan, *My Frozen Turbulence in Kashmir*, 5th Edition, p. 669.
[2]C. Rajagopalachari, seventy-seven years ago.

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circumstances, to expect a healthy plant to grow or a good and sweet harvest, would be nothing but an exercise in fretting and fuming or resorting to wishful thinking or reposing faith in gods of sand and stones.

Without a healthy civilisational base and pure and productive cultural roots, all our institutions, all our laws and the Constitution, all our administrative organisations and all our judicial and legislative bodies are bound to be rendered frigid and fragile. No wonder, we have today a vast machine but no motivation, a bloated structure of administration but with a barren soul.

One of the most serious problems of the post-1947 India has been the failure to evolve an inspired ideology of work and to infuse the institutions of governance and public services with its spirit. The consequence of this failure has not only been colossal casualness and corruption in public life but also an ever-increasing incapacity of the country to cope with manifold challenges that have arisen during the past fifty-seven years and many more that are bound to arise, in a still more complex form, in the coming years.

Crisis of Governance and its Nature

Now, a crisis of governance has overtaken us. And we seem to be overwhelmed by it. We do not know what tools to pick up and which technology to apply to set the machine right. For the crisis is not merely structural; it is rooted in the rusty irons of our souls. It is a crisis not only of governance but also of the governed. It is a crisis of character, of commitment and of conscience – a crisis that is in-built in the spiritual and inspirational vacuum that we have caused and the poor moral and social order that we have brought about during the last five decades.

A jhuggi dweller in Delhi who secures a plot for resettlement, sells it and occupies another piece of public land; a bureaucrat or businessman who moves in society as a gentleman and is never tired of criticising others for ruining the country but who himself joins hands with land and building mafia and builds

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a large number of flats on a plot meant for one or two dwelling units, and makes millions at the expense of the city and its environment; a politician who does not accept monetary bribes but who, for the sake of winning elections and gaining and retaining power, foments prejudices of caste, creed and community and exploits the baser emotions of the ignorant and non-discriminating minds; and a journalist or a social and political commentator who resorts to intellectual dishonesty to subserve vested interests, are all manifestations, in different forms and colours, of this crisis.

Green Vistas

The signposts of the crisis are etched on the path we have traversed since Independence. Undoubtedly, in many respects, we are better placed than we were at the dawn of Independence. The average life expectancy of the people has increased substantially. The country has been largely free from famines, the recurrence of which was its fate earlier. We have witnessed a 'green' as well as a 'white' revolution. Sardar Patel's integration of 561 princely states, which added 86 million people and 800,000 square kilometres of territory to the Indian Union, and which was brought about by a bloodless revolution, far outshines the much applauded feat of Bismarck in consolidating Germany through his policy of 'blood and iron'. Likewise, the remarkable contribution made by stalwarts like Jawaharlal, Govind Ballabh Pant, Dr. Rajendra Prasad and the like, particularly in the field of planning, advancement of science, and construction of new temples of development, remain some of the most pleasing green vistas that have been created in the course of our 57 years' journey as an independent nation. The recent achievements in the arena of nuclear, space, telecommunication and information technologies[3] have their own sagas. There has also been a significant diversification

[3] We have now about 1250 companies exporting software. And the global outsourcing market is worth about $ 100 billion.

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of production. The industrial and service sectors have witnessed a rapid expansion. From about 8 per cent in 1950-51, the index of industrial production rose to about 155 in 1999-2000. The net national product attained a level in 1999-2000 which was 2.75 times higher than the level of 1950-51.

Fundamental Question

But the fundamental question is what is in our foundations? Is it concrete or poor clay? Will not our edifice crack and collapse under the pressure of burdensome legacies of the past and also the rotten stuff that we have collected in our baggage? Moreover, the crucial issue is not of advancement per se; it is of comparative pace of advancement. When viewed in the context of this issue, the picture all around looks gloomy. Grave areas of concern have appeared in the economic, political, administrative, social environmental and cultural landscapes of the country. *Let me first take the period upto 1990-91.*

In 1950-51, India's share of the World's Gross National Product was two per cent; in 1990-91, it came down to less than one per cent. In 1950-51, 12 per cent of the Third World's Gross National Product was contributed by India; by 1990-91, the corresponding contribution came down to five per cent. The position in respect of industrial production was no different. In 1950-51, India's industrial production comprised two per cent of the world's total output; in 1990-91, it stood at about 0.7 per cent. In 1950-51, 14 per cent of the Third World's industrial production came from India; by 1990-91, it had declined to about four per cent. In line with the downward trends, India's share in the world foreign trade diminished from about two per cent in 1950-51 to 0.6 per cent in 1990-91.

One of the most underplayed facts of the much adumbrated Green Revolution (1970-1990) was that the farm output of the country went up by only 2.1 per cent; the corresponding percentage for Indonesia was 3.7, for Malaysia 4.7 and for Thailand 4.6. While lauding this 'revolution', it was usually forgotten that

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accessibility to food was as important as food production itself. In 1990-91, there were about 250 million people in India who consumed less than three-fourths of the needed calories, and there were another 55 million who got less than half of the minimum requirement.

The data collected by international agencies show that in 1990-91, 55 per cent of the Indian people were poor as compared to 47 per cent in sub-Saharan Africa and 20 per cent in China. If the category of 'extremely poor' was taken, India's percentage remained as high as 33; China's came down to 8 and sub-Saharan Africa's to 30. What gave a still truer picture of multi-dimensional measure of human deprivation was the UNDP's concept of 'capability poverty' according to which, in 1990-91, 61.5 per cent of India's population was poor.

The above data should not leave anybody in doubt that India's pace of 'economic development' in the first four decades had been slower not only in comparison to the world in general but also in comparison to quite a few developing countries. Three areas in which India had moved faster than most of the countries, during 1950-51 to 1990-91, were population, indebtedness and corruption. By 1990-91, notwithstanding huge expenditure incurred on family planning, her population had increased to 975 million. It became the fourth largest indebted country amongst the developing countries. There was explosion of scandals like the "Bofors", "Submarine" and "Sugar"scandals. She was listed amongst the ten most corrupt nations in the world.

Seeing the total collapse on the horizon, the leadership leaned on others' shoulders and *turned to another path* – the path charted out for it by the IMF and the World Bank, the path of liberalisation, marketisation and globalisation. Another type of illusion was entertained.

When, in the early nineties, songs in praise of the new path were being sung at their loudest and an impression was being created that a key to solve all the problems of the Indian economy and administration had been found, I had, in the fifth edition

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of my book – *My Frozen Turbulence in Kashmir* – which was being written at that time, commented on the superficiality of the entire approach:

> *It is being argued that new propositions would pull the country out of crisis. This argument ignores the nature of the crisis and its roots which lie embedded in the social ethos and cultural forces that govern the life of the country – the forces that have seeped into its bloodstream and made deep inroads into its polity, its business, its industry, its administration and other institutions. To proceed with 'economic reforms', without reorienting these fundamental forces and without infusing new spirit in the institutions, would only amount to pursuing a mirage.*
>
> *Today, the country is abandoning its adherence to the concept of welfare state by transposing its own faults – faults of its ethos – to these concepts. After a few years, the country would once again transfer its own infirmities – the infirmities of its current culture – to the concepts of free market, liberalisation and globalisation and denounce them. A new man with a new portfolio, a new 'package', a new 'action-programme', accompanied by a new set of drumbeaters, would arrive. All the while, the country will go on sinking deeper and deeper in trouble. The malady is in the heart; attending to the periphery would not do.*
>
> *For instance, it is being claimed that, with the deregulation of the economy and dismantling of the public sector, an era of progress would dawn and corruption would decline. Soon, the hollowness of the claim would be discovered. Because nothing is being done to change the ethos, the cultural and social traits, which breed corruption. In the absence of internal cleanliness, malpractices would merely get transferred from one sphere to another.*
>
> *Whether type A or type B of economic system or approach is more suitable, is not the issue. My basic contention is that the recent measures, apart from being faulty and risky in many*

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respects, would not yield any worthwhile results. As long as the Indian mind is not reformed and the people remain what they are, no administrative, economic or constitutional reforms would save the country from the ever deepening quagmire of inefficiency, corruption and malpractices. Under the new dispensation, the plot of the story may undergo a change, the stage may have a different setting, the actors may speak in different languages and adopt different styles of acting, but the drama would end essentially on the same unsavoury note.

Would anyone who is willing to look dispassionately at the post-reform fourteen years seriously dispute the truth of this contention? If he does, let him answer a few basic questions, particularly in so far as they relate to the institutions of governance and the attitude of the governed. Have the institutions of governance started functioning more efficiently and effectively? Do our offices show a better sense of discipline or better work culture? Has the administrative machinery become more constructive and dynamic in its approach and adjusted itself to meet the new problems on the law and order front and to check the rising menace of terrorism, subversion and economic crimes? Has the incidence of corruption in our public life declined and have we, the people, become more alive to our civic and national obligations and do we now maintain a lesser gap between what we say and what we do?

The answer to all these questions is, clearly, in the negative. From the detailed analysis of 1947-1991 period as well as post-1991 period, done in Chapter VI and Chapter VII, respectively, *it would be seen that the downward descent of governance machinery has been a common feature of both the periods.* This is so because the approach adopted in these periods was hollow, superficial and devoid of deep thinking and sustained motivation. That is why, while we have been talking of reforms and using all the beautiful and borrowed jargon like good governance, the fatal flaws of our polity and administration have been deepening. Fitful interventions or imitation of the reform models – models evolved

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by others in different conditions and with different objectives – could not, and have not, delivered the goods. The overall present-day conditions of the country have been described by the National Commission to Review the Working of the Constitution thus:

> Mal-administration has paralysed the creative energies of the people and pushed people and their day-to-day living more and more into extra legal systems. Owing to opportunistic and self-seeking politics and politicians and an increasing scenario of politician, criminal and bureaucratic nexus, the political climate of the country has been polluted, bringing in its wake enormous corruption – electoral, political and bureaucratic. There is pervasive degeneration of values.[4]

In the post-1991 period, in fact, the impurities have penetrated into the system, the collective behavioral disorders have increased, fault-lines have lengthened and the cracks in the foundation have widened. The cost of government has gone up at an alarming pace. The deficits of the Central and State governments have increased manifold. To quote the above referred Commission again, "in 1947, there was a deficit of Rs. 2 crore in the revenue budget; in 1997-98, it became Rs. 88,937 crore; in 2001-2002, it touched Rs. 1,16,000 crore."

What is required is another kind of reform – a reform that is fundamental and deep-rooted, a reform that would free the long suppressed soul of India, a reform that would regenerate the ancient nobility of temper and restore to the Indian mind its power, its freshness, its originality and its capacity to evolve a design of its own. If we have to overcome the crisis of governance, which has been with us in one form or the other since 1947, we have to go to the basic transformation. In this context what Swami Vivekananda said years ago is relevant: "I want root and branch reform. You must go down to the basics of the things, to the root of the matter. Put the fire there and let it burn upward."

[4]The Commission Report : para 2.19.2 p. 38.

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CHAPTER II

STRUCTURE AND SOUL OF GOVERNANCE MACHINERY IN ANCIENT AND MEDIEVAL INDIA

The further backward you look, the further forward you can see.

WINSTON CHURCHILL

There is a secret agreement between the past generation and the present one.

WALTER BENJAMIN

Ancient India:Basic Contours

"There was at first neither sovereignty nor sovereign, neither punishment nor punisher. At that time the people used to govern themselves by means of justice or righteousness (dharma). In later times, however, they began to degenerate and were assailed successively by the vices of intoxication, greed, wrath and self-indulgence. The world was disturbed, and the Vedas as well as justice perished; the gods were frightened; and they sought the protection of Brahma. The great God created for their sake and for the good of the world a gigantic treatise consisting of one thousand chapters which treated the fourfold end of life – Dharma, Artha, Kama and Moksha. This was called Dandaniti, the law of punishment, and became the archetype out of which successive summaries were prepared by the gods Siva and Indra, and the sages Brihaspati and Sukra. Thereafter the gods approached Vishnu and implored Him to select a person deserving to occupy the highest place among mortals. The great God created by a fiat of His will a son of His lustre. This person, however, did not desire sovereignty, and treated His authority as a trust. His fourth successor became skilled in policy and protected the people, while the next gained

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an empire and became self-indulgent. Then came Vena who was killed by the angry sages for his tyranny. Out of his right arm, pierced by the great sages, came forth Prithu, handsome, fully armed, skilled in the *Vedas* and in the science of archery. He was enjoined by the gods and the great sages to follow the established laws without fear or favour, with a strict control of his passions. The gods and the sages, moreover, proposed to him an oath which he accepted in the following terms: I will constantly protect the earth in thought, word and deed, as if it were Brahman; I will carry out the established laws in accordance with Dandaniti. I will never act arbitrarily. The twice-born classes shall never be punished by me and the world shall be saved from the danger of the intermixture of classes. Prithu was consecrated by the Brahmins and the sages as well as by the gods including Vishnu Himself. He was the king because all His subjects were gratified by Him, and He earned the title of *kshatriya* as He healed the wounds of the Brahmins. The eternal God Vishnu in person established His status by declaring that no one would transcend Him. The divine Vishnu, moreover, entered the person of the king, and hence the whole universe worships the kings as if they were gods."[1]

---

[1]Quoted from K.M. Panikkar's essay. 'The Ideas of Sovereignty and State in Indian Political Thought', as published in a Bharatiya Vidya Bhawan booklet.

The Law book of Manu also says:

> When the world was without a king
> and dispersed in fear in all directions,
> the Lord created a king
> for the protection of all.
>
> He made him of eternal particles
> Of Indra and the Wind,
> Yama, the Sun and Fire,
> Varuna, the Moon, and the Lord of Wealth.
>
> And, because he has been formed
> of fragments of all those gods,
> the kind surpasses
> all other beings in splendour.

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This reply of sage Bhishma to the question put to him by Yudhisthira about the origin of kingship[2] in ancient India is remarkable for its revelations in more than one sense. *It brings out the basic contours of both the structure and soul of ancient India's governance machinery.* Shorn of its allegorical content and Vedic terminology, it shows how the need for creating a machinery of governance first arose and how the wise men of the times thought that the only way of ending anarchy and establishing social and moral order was to set up an institution of kingship and make it obligatory on this institution to derive its underlying inspiration from the values enshrined in the person of Vishnu and to function within the parameters laid down by *Dharma*. The social usefulness of having an authority for governance in the person of a King was recognised. At the same time, it was made incumbent upon the King never to act arbitrarily and to protect the earth in thought, word and deed and also to work for the realisation of the fourfold ends of life – *Dharma, Artha, Kama* and *Moksha*.[3]

Expectations from a Ruler

The ruler was not to be an ordinary mortal. He was to be a person of high moral and intellectual calibre, guided by the spirit of *Dharma*. Apart from providing safety and security and preserving social harmony and well-being, he was to look after the comfort and convenience of the people. He had to play the role, to use the

---

1 contd Even an infant king must not be despised,
as though a mere mortal,
for he is a great god
in human form—from p.85

[2]The land without king, in our scriptures, was likened to "a forest without grass, a river without water, a herd of cattle without a herdsman". It was underlined: "A man should first choose his king, then his wife, and only then amass wealth; for without a king in the world where would wife and property be?"

[3]Dharma implies righteous conduct which sustains life and leads to welfare of the individuals and the society. *Artha* means material pleasures and *Kama* means desire to secure these pleasures. *Moksha* connotes a state of eternal bliss and happiness.

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present-day parlance, of an administrative state as well as of a welfare state. Kautilya[4] puts it simply but succinctly:

> The happiness of the people is the happiness of the king;
> Their good alone in his;
> His personal good is not his true good;
> The only true good being that of his people.
> Therefore let the king be active in working
> For the prosperity and welfare of his people:
> For initiative and enterprise are the causes of prosperity,
> As lack of enterprise is the cause of ruin.

The concept of kingship is made further clear by the *Agni Purana* which says:

> The Raja, by his effulgence, is like the sun;
> By his mercy to his people he is like the moon;
> He is like the air, as, through his agents, he is everywhere;
> He is like Yama as he punishes justly and extinguishes unlawfulness;
> He has the qualities of fire and he devours evil;
> By his gifts he is like Kubera – Lord of Wealth.

While discharging his functions, the king was required to act within the framework of *Dharma* – the established law. He was an executor and not a maker of the law. His coronation oath was:

> I will at all times protect the country regarding it as divine. Whatever law there is and whatever is dictated by 'niti' and what is not opposed to the doctrine of justice I will do. I will not act according to my own pleasure.

Clearly, governance was to be carried out in accordance with *Dharma*, the fundamental law of the land to which every ruler was subject:

> Law is the King of Kings;
> Nothing is superior to Law;

[4]Kautilya: *Arthashastra*

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The Law aided by the power of King
Enables the weak to prevail over the strong.[5]

Without being an autocrat, the king had to provide a fair, firm and effective governance and ensure peace, progress and prosperity. In fact, he was supposed to be not merely a good governor but an ideal governor – a Rajarishi whose attributes were: "control of oneself through the control of six passions, wisdom through counsel, eyes through secret information, welfare of the common wealth through activity, the maintenance of social order through efficient management of affairs, and love of the people".

In case the king failed to discharge his functions or neglected his duties or acted arbitrarily, the people could justifiably revolt and replace him by another king. Sukracharya makes it clear: "If the king be an enemy of virtue, morality and strength, people should desert him as the ruiner of the State". The Mahabharata puts it still more forcefully: "The king who taxes his people but does not actually protect them, should be slain by his combined subjects like a mad dog afflicted with rabies".

The king was not all in all and no one in ancient India ever thought of saying: "I am the State." He was only one of the seven *Prakritis* (constituents). Kautilya spells out these constituents as 'Swami' (the sovereign), the officialdom, the territory, the fort, the *kosha* (treasury), the army and the ally. The power of the State was, in a sense, diffused and the king was not the sole arbiter. He was aided and advised by a Council of Ministers and also by the officials[6] who, in practice, exercised substantial powers. An idea of the diffused power-structure can be gathered from *Rajatarangini*. It

[5]Rama Jois: *Legal and Constitutional History of India: Ancient Legal, Judicial and Constitutional System*. p.10.

[6]The Mauryas had the Mantri-parishad. They had also a number of classes of officers such as, Agronomic – district officials; Astynomic – city commissioners; Nikaya – general administrator; Rajaka – welfare officer. Likewise, in the Gupta period, there were ministers like Sandhivigrahika, minister in charge of peace and war; and Akshapataladhikrita, minister in charge of records; and also senior civil and military officers like Mahabaladhirkrita and Mahadandanayaka.

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refers to eighteen components of this structure – "the council of Ministers, the offices of the chief priest, the crown prince, the chief justice, the commander-in-chief, the chamberlain, the steward of the palace, the superintendent of prisons, the treasurer, the auditor, the public prosecutor, the prefect of the capital, the chief engineer, the chief magistrate, the warden of the forts, the warden of the marches, the superintendent of the forests". (Rajtarangini) -

In the Magadha Empire, for example, the king, undoubtedly, was very powerful; but both the Purohita (high priest) and the Senapati (Commander-in-Chief of Army) held pivotal positions and their advice was invariably taken and respected. At the field and local levels, vast powers were exercised by a host of high officials, known as 'mahamatras', with regard to a large number of subjects. Some of them looked after general administration while others handled matters pertaining to justice, land survey, assessment of the produce, etc.

In the case of other ancient Indian kingdoms, particularly the powerful kingdom of the Mauryas and the Guptas, the structural contours of their governance machinery differed here and there. But, in essence, this machinery was propelled by the same mind and motivation. The belief persisted that the rulers existed not for their own power and position but for discharging a debt to the people which they could do by providing good governance. The ideal ruler was considered as one "who possessed an inner soul pervaded by the inclination for the acquittance of debts and obligations and was engaged in the welfare of all mankind". The accounts left by the Chinese pilgrims, Fa Hien and Hiuen Tsang, the Arab merchant, Sulaiman, and the Venetian traveller, Marco Polo, make it clear that these noble ends of power, as set out by the ancient Indian sages and thinkers, were realised during the rule of Chandragupta II, Harsha and Bhoja I and Rudradaman. The role which a good district or city governor of the Gupta times played was not very different from the role of the most enlightened Collector of the British and present times. This should be evident from the following verse:

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He caused distress to no man in the city,
but he chastised the wicked.
Even in this mean age
he did not fail the trust of the people.
He cherished the citizens as his own children
and he put down crime.
He delighted the inhabitants
with gifts and honours and smiling conversation,
and he increased their love
with informal visits and friendly receptions.

The above view about the mind and motivation of the rulers in ancient India finds powerful support from no less a person than the great British Parliamentarian and political thinker, Edmund Burke. He has observed:

> The material prosperity of Hindu India owed most to its rulers. Hinduism instilled in them the ambition of insatiable benevolence to perpetuate themselves through generations, the guardians, the protector, the nourishers of mankind. This benevolence was most spectacularly shown in the great irrigation works of the south or in its inns and hospitals... All ranks of people had their place in public concern and their share in the common stock and common prosperity.
>
> (Edmund Burke)

Republican Tradition

Another feature that deserves to be noticed is that not all the territories in ancient India were ruled by the kings. There were a number of republics as well. As K.M. Panikkar has observed: "The republican tradition was a persistent factor in Indian history and was represented through ages not only by confederacies like Vrishni-Andhaka-Bhojas but also by powerful states like those of the Lichhavis and the Yaudheyas". During the debate in the Constituent Assembly on the draft of the Indian Constitution, Dr. Radhakrishnan pointed out: "We cannot say that the republican tradition is foreign to the genius of this country. We have had it

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from the beginning of our history. When a few merchants from the north went down to the south, one of the Princes of the Deccan asked the question, 'Who is your King?' The answer was, 'Some of us are governed by assemblies, some of us by kings' ".

Positive Footing

From the above analysis, it emerges that, structurally, the governance machinery rested on a positive and healthy footing. It was underpinned by a high sense of purpose and by the norms of righteousness and justice. It was expected to be responsive, service-oriented and respectful to dharma. A large number of rulers lived up to these expectations and some of them like Asoka and Vikramaditya wrote glorious chapters of humane, enlightened and just governance and showed a nobility of temper which has few parallels in human history.

Negative Features

At the same time, however, it would be wrong to ignore the negative and unhealthy features of the governance machinery of ancient India. In practice, might could be turned into right. There was no one to turn to against a greedy, power-drunk and unprincipled ruler. The values enshrined in *Dharma* could be ignored by him or given a convenient interpretation and he could appoint Ministers and officers who would act as his puppets. The priestly class did not constitute an organised group and had no collective status. It could not prevent a cruel and conscienceless king from acting in a whimsical or arbitrary manner. The political philosophy, advanced by Kautilya, though ingenious and sound in many ways, compounded this fatal flaw of the governance machinery. In the name of safeguarding the State's interest, and under the cover of practical consideration, all personal wrongdoings could be rationalised by a crafty ruler. The common man could do little. The priest, at the most, could shower a few curses and that, too, in private.

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These negative and unhealthy features became much too pronounced during the period of decay and followed the disappearance of the great empires of ancient India and resulted in poor, evil and faction-ridden governance which, with the passage of time and in the absence of a fresh healthy impulse, degenerated further and made it easier for the foreign invaders to vanquish the local kings and establish their rule.

Medieval Period (Autocratic Rule) - (Pope and Caesar rolled in one) -

The Turko-Afghan period saw the establishment of a totally autocratic rule wherein the word of the Sultan was the law. Theocracy and military power were its dominant features. The Sultan acted as if he was "Pope and Caesar rolled in one". Its military and feudal character was not in tune with ancient India's ideal of treating kingship as an instrument of service to the people, though some pious and well-meaning Sultans like Feroz Shah Tuglak carried out a number of welfare works, like the construction of tanks, bridges and 'madarsas'. For the purpose of keeping control over a vast territory, provinces, districts and sub-districts, etc., were created.

The main officials at the local level were 'muqtis' and 'iqtas' whose main duty was to collect revenue and make available soldiers to the Sultan. At the central level, an institution of 'wazir' came into being. He, together with three or four other Ministers, rendered assistance to the Sultan in administrative matters which were usually settled in a rough and ready manner.

The Mughal rule of Babar and Humayun did not see any change in the pattern of governance. But the Afghan revival under Sher Shah Suri saw salutary changes. Sher Shah was an organiser and administrator *par excellence*. He not only revived and recreated the healthy features of the old administrative system of India but also planted a number of new seeds for a solid system of governance to grow. While keeping a highly centralised form of government, Sher Shah "attempted to found an Empire broadly based upon the people's will". Like Asoka and Harsha, the people's welfare remained his guiding star. He lived up to the ideal that "it behoves the great

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to be always active." He "repaired, improved, organised and perfected every single department of the state with admirable skill and expedition. He bequeathed to his successors the legacy of a well-organised administrative structure and traditions of a just and tolerant policy as the essential conditions of a durable and good government." It has been rightly observed by Keene: "No government – not even the British – has shown so much wisdom as this *Pathan*." It was, in fact, Sher Shah's blueprint that was largely adopted by Akbar. He merely "added a wheel here and adjusted a wheel there".

For providing effective governance, Sher Shah divided his empire into 47 administrative units called 'Sarkars'. These units were further sub-divided into small units known as 'parganas'. All such units were governed by a hierarchy of officers. The changes that Sher Shah introduced in the administration of land and collection of revenue were highly innovative, humane and just. The land was carefully surveyed and the revenue settled directly with the cultivator. For maintaining peace, the principle of local responsibility for dealing with the local crimes was enforced. To cap it all, Sher Shah got constructed a chain of excellent roads most of which still exist. All this, coupled with his indefatigable zest for work, show him as a brilliant administrator who has few equals in Indian history. "The real significance of his reign", says the noted historian, R.C. Majumdar, "lies in the fact that he embodied in himself those very qualities which are needed for the building of a national state in India, and he prepared the ground for the glorious Akbaride regime in more ways than one."

What was delineated with a broad brush by Sher Shah was made more precise and clear by Akbar. The revenue administration,[7] for example, was worked out in great detail. As a result of the efforts made by his Imperial Diwan, Raja Todar Mal, soils were classified,

[7]The terminology of the revenue administration – 'Jagir', 'Khalsa', 'Banjar', Jamabandi', 'Patwari', 'Muqaddam', 'Qanungo', 'Kharif', 'Rabi', etc. – which is still current in a number of states of the Indian Union has descended from the times of Raja Todar Mal.

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rent rolls were prepared and methods of assessment and collection made more rational and just. The territorial units of the Empire were reorganised and made more compact. The departments, too, were expanded and regrouped. A special feature introduced by Akbar was the Mansabdari system under which "the army, the peerage and civil administration were all rolled into one". Every officer of the state held a Mansab, a rank, which ranged from a 'Commander of 10' to a 'Commander of 10,000'.

There were many other important functionaries of the vast Mughal governance machinery, such as, 'Diwan', who looked after the exchequer; 'Mir-Baksha', who kept account of military expenditure; 'Chief Qazi', who was in-charge of the judiciary and 'Khan-i-Saman', who catered to the needs of the imperial household. These functionaries and Mansabdars were very highly paid. Moreland, in his book, *India at the Death of Akbar*, has observed that a Mansabdar of '5,000' got a monthly salary of about Rs. 18,000, one of '1,000', about Rs. 5,000 and one of '500', about Rs. 1,000. (Moreland – India at the Death of Akbar –

All said and done, the Mughal rule in India remained a centralised autarchy. It was essentially military in nature. But it came to acquire, particularly under Akbar, a number of healthy features[8] and left quite a few legacies of firm, just and effective governance. Throughout the Mughal rule, the personality of a ruler remained a dominant factor. If he happened to be a wise and benevolent person, the Mughal machinery worked well. Under a weak and wayward ruler, on the other hand, it became repressive and corrupt. It was the poor personality of the later Mughals that threw the governance machinery out of gear, caused the collapse of the Mughal Empire and paved the way for the establishment of British rule in India.

By the end of the seventeenth century, the Mughal machinery of governance had become not only top-heavy and excessively costly but also thoroughly corrupt. This should be clear from what Prince

[8]Akbar, for example, initiated a policy of 'India for Indians' and opened official careers to the Hindus.

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Akbar wrote to his father, Aurangzeb in 1681: "The clerks and officers of the State have taken to the practice of traders, and are buying posts with gold and selling for shameful considerations. Every one who eats salt destroys the salt-seller". The breakdown of such a machinery was only a matter of time. The East India Company and the British Government understood this and stepped in. They realised that, amidst chaos and confusion, no successful trading activity was feasible. Moreover, as observed by Mason, "The East India Company did not seem merely a company formed for extension of British commerce but in reality a delegation of the whole power and sovereignty of the British kingdom". (Mason).

The above brief resume of the soul and structure of governance machinery in ancient and medieval India should make it clear that if there is nobility in the soul and the motivation is pure and the idealism high, the structure, even if it be not perfect, can lead to a life of honour, peace and prosperity; if, on the other hand, the soul is infected by narrowness, selfishness and intrigue, then the same structure undermines individual and social security, gives rise to venality and corruption and results in loss of human dignity and freedom. Governance, without a healthy soul, is bound to lead to decay and decline and its ultimate extinction.

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CHAPTER III

THE STEEL FRAME

With the British conquest, Bengal passed under the rule of a learned and enlightened part of Europe, in the most enlightened period of its times and of a nation the most enlightened of the enlightened part of Europe. This replaced a native Government which had fallen into a scene of confusion.

EDMUND BURKE[1]

I can see no period when the Indians can dispense with the guidance and the assistance of this small nucleus of the British Civil Service, of British officials in India... they are steel frame of the whole structure... there is one institution we will not interfere with, there is one institution we will not cripple, there is one institution we will not deprive of its functions or of its privileges, and that is that institution which built up the British Raj – the British Civil Service in India.

LLOYD GEORGE[2]

It was only after a series of bitter experiences that first the East India Company and then the British Government acquired a firm grip over India and established a governance machinery that earned the justifiable reputation of being a polished and powerful 'steel frame'. In the early stages, this machinery bred intolerable abuse and "had neither given the State a definite control over the Company, nor the directors a definite control over their servants, nor the Governor-General a definite control over his Council, nor the Calcutta Presidency a definite control over Madras and Bombay". But even amidst such a marked diffusion of responsibilities and consequent confusion, the machinery "muddled

[1]Marshall, P.J. ed; *The Writings and Speeches of Edmund Burke*. p. 33

[2]Lloyd George: Speech in the House of Commons (1922): Great Britain, Parliamentary Debate.

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through". It learnt from its mistakes, got motivated by the liberal and enlightened outlook of humanists like Edmund Burke, reformed itself and came to acquire both a solid structure and a healthy soul. It was for providing this sound structure and healthy soul that Edmund Burke had urged in the House of Commons: "An example must be made of Hastings to teach the British rulers in India their duty in future".

The first step in the long journey of British governance in India was taken in 1765, when the East India Company acquired the *Diwani*[3] of Bengal, Bihar and Orissa. The country came under a dual government which proved disastrous both to the Company and the people and enabled the officials of the Company to amass huge wealth. This unsavoury aspect of the governance of the times was forcefully brought out by Burke in his speech in the House of Commons at the time of impeaching Warren Hastings. Burke said:

Edmund Burke

> While we are boasting of the British power, we are, in more than half the service, nothing but the inferior tools and miserable instruments of the tyranny which the lower part of the natives exercise.

Warren Hastings had abolished the system of dual government and virtually brought the entire civil administration under the Company. Nevertheless, a rotten and rapacious system prevailed for quite some time. It not only caused widespread corruption and controversies in the public life of Bengal but also vitiated the atmosphere at home. Referring to the officials of the Company returning to England, Burke remarked:

Edmund Burke

> These people pour in on us every day. They not only bring with them the wealth they have acquired but also the vices by which it is acquired. Our liberty is as much in danger as our honour and our national character. We dread the operation

[3]'Diwani' implied a dual system of collecting revenue. It was a sort of dyarchy under which revenue was collected by the East India Company and, after defraying fixed amounts to the Nawab of Bengal and the Mughal Emperor, the surplus was retained by it. The Company, in other words, became the *de facto* ruler.

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> of money. Do we not know that there are many men who hardly wait to let loose all the corrupt wealth of India, acquired by the oppression of that country, for corruption of all the liberties of this land?

The outcry had its effect. Far-reaching revenue, police and judicial reforms were soon introduced and vigorously implemented by Lord Cornwallis[4] and Lord Wellesley. In fact, the process had been initiated by Warren Hastings who, though subsequently impeached for alleged wrongdoings, displayed extraordinary acumen for administration and a very high quality of leadership in trying and tedious circumstances. The East India Company had also the good fortune to be served by a galaxy of outstanding officers like Thomas Munroe, Charles Metcalfe, John Malcolm and Mount Stuart Elphinstone. Later on, a regular cadre-based civil service was created and recruitment to it was made on the basis of competitive examination of a very high standard. In course of time, a strong, stable, and effective bureaucratic structure came into being, the lynch-pin of which at the field level, was the District Collector[5] whose role was described by Prime Minister Ramsay MacDonald in these words:

> The Collector is the eye of the government and its tongue. He has to keep his finger on the pulse of his district and nothing

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[4]Cornwallis's Regulations of 1793 were fairly exhaustive, covering practically all the aspects of administration. He was a great believer in principled governance. His contribution in cleaning public life of the time was immense. He ordered that the Company's officials must choose either commercial or administrative work. He also carried out the permanent settlement of land under which the Zamindar became a permanent owner and paid a fixed amount.

[5]The role of the collector and his general standing in the public was captured beautifully in the following verse, written in 1888, by Thomas Francis.

I mourn the rule the Magistrate of yore,
A fostering despot, o'er his people bore:
He reigned supreme within his little State,
His smile shed honour, and his frown was fate.
Prompt with the rifle, niggard of the pen,
By manly deeds he won the hearts of men.

Thomas Francis

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of any importance is supposed to happen without his knowledge. A sparrow ought not to fall without the incident coming to his ears. With order and stability having been secured, a few specialised agencies appeared on the scene. But they had to mainly depend upon the Collector for support and for bringing about day-to-day coordination amongst these agencies themselves. His influence was all around.

After field level work, which lasted for a fairly long period, the collectors moved to the Secretariat where they were engaged in policy-making work.

This structure was not without its Indian roots. As rightly observed by K.M. Panikkar, "it is on the long-established system of local bureaucracy, coming down at least from the time of Kautilya that the British erected the imposing structure of their civil service". The functions assigned to the Collector of the ICS during the British regime were not very different from those performed by the district governor of the Mauryan period. The latter, too, had discharged administrative and judicial duties. His role was, in fact, more progressive. He took decisions after consulting the chief banker, chief craftsman and chief caravan leader. There is evidence to suggest that during both the Gupta period and the Mughal period, there existed professionally trained civil servants. According to a Persian manuscript of Farrukhabad, the Mughal provincial governors were required to recruit and train about 100 young men each year for appointment as officers, first in the provinces and then at the Imperial Court.

It was on account of this long established system and tradition that Burke had advocated that the Indian 'forms' must be respected. He argued:

> India must be governed upon British principles, not by British forms. Government must show that spirit of equity, that spirit of justice, that spirit of safety, that spirit of lenity that is the characteristic of the British Government. But, if we must govern such a country, we must do so on their own principles and maxims and not upon ours.

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By the end of the first quarter of the nineteenth century, the situation[6] had changed and vastly improved. The essence of the situation was captured as early as 1822 by Abbe Dubois who, in his book, *Hindu Manners, Customs and Ceremonies*, observed:

> The justice and prudence which the present rulers display in endeavouring to make these people less unhappy than they have been hitherto; the anxiety which they manifest in increasing their material comfort; above all, the inviolable respect which they constantly show for the customs and religious beliefs of the country; and lastly, the protection which they afford to the weak as well as to the strong... all these have contributed more to be consolidation of their power than even their victories and conquest. For uprightness of character, education and ability it would be hard to find a body or public servants better capable of filling with zeal and distinction the offices that are entrusted to them.

Lord Macaulay, the author of the Indian Penal Code, too, came to a similar conclusion. Speaking in the House of Commons in 1833, he had said:

> The civil and military functionaries resembled in nothing but capacity and valour of the adventurer who seventy years earlier had returned to England laden with wealth and infamy.

In course of time, partly to meet the local aspirations for government jobs and partly to rivet the steel frame further, a Provincial Civil Service was created in every province. Thus, there came into being three classes of Civil Services – an Imperial Service,

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[6]The changing temper of the time was reflected in the Charter Act of 1813 as well as in the Parliamentary Committee's Report of 1833. The former stipulated: "It is the duty of this Country to promote the interest and happiness of the native inhabitants of the British Dominion in India". The latter underlined: "The indisputable principle that the interests of the native subjects are to be consulted in preference to those of Europeans whenever the two come in competition". The Queen's Proclamation of 1858 also makes it clear: "We hold ourselves bound to the natives of our Indian territories by the same obligation of duty which bound us to all other subjects".

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a Provincial Civil Service and a Subordinate Civil Service. Each complimented the role of the other and constituted a well-structured and well-disciplined network both at central and provincial levels. On similar lines, services were organised in other branches of administration, such as education, medical and public works. And the impact of the British Raj began to be felt in every aspect of life.

It was the control mechanism of the Indian Civil Service and the key positions that its members held at all important levels of governance machinery – central, provincial and district – that earned for it its reputation of being a steel frame. Of the total strength of the Indian bureaucracy, the percentage[7] of the ICS never exceeded 0.001. And yet they held all the levers of governance in their hands. India was, in fact, governed by the Indians. But they always acted as the most obedient servants of the ICS. The discipline which the ICS was able to bring about all along the line and the healthy fear which it was able to instil in its subordinates was remarkable. It coordinated, controlled and directed practically all items of work at the district as well as secretariat level. Even with regard to technical officers of comparable seniority of the superior Imperial services, the officers of the ICS enjoyed a higher status and a final say in the decision-making process.

Smooth Impact

The impact of the British governance machinery on India was largely salutary. There was economic loot, as was inherent in the export of cheap raw material and import of comparatively high priced manufactured goods. There was an imperial arrogance. There was sometimes an attempt to colonise the Indian mind, as was sought by Lord Macaulay and the like. There were grave failures

[7]In 1919, there were 1032 ICS officers in India. At that time, the total number of employees in government service was about one million. A study of the times by Anil Seal, titled *Imperialism and Nationalism in India*, has shown that "beneath the Collector lay a ground-floor reality where Indians battled with Indians, sometimes for the Collector's favour and sometimes to do each other down without reference to him and his book of rules".

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like the one that occurred during the Orissa famine of 1866. But, on the whole, the Indian Civil Service acquitted itself fairly well. It established itself in a smooth and orderly manner. Its general tenor was captured correctly by Lieutenant-Governor James Thomson in his circular to the Collectors of NWFP. This circular read:

> We have not swept over the country like a torrent destroying all that it found. Our course has rather been that of a gently swelling inundation which leaves the former surface undisturbed and spreads over it a richer mould from which the vegetation may derive a new verdure, and the landscape a beauty which was unknown before. Such has been our course in the civil administration.

The work of the civil servants was not, as is generally believed, confined to the issues concerning law and order. It extended to the development work. For example, the irrigation schemes, woven around the Chenab and Jhelum rivers, and setting up of a number of canal colonies were remarkable projects of development which were carried out speedily and efficiently under the outstanding leadership of civil servants like Sir Alfred and James Lyall and Sir Malcolm Hailey. Their work led to what has appropriately been called the "blossoming of the wilderness".

Other Contributions

Some of the members of the Civil Service also made notable contributions in fields other than pure administration and development. Despite the Company's general policy of non-interference in the religious practices and customs of the Indians they set their face against grossly inhuman practices such as *Sati*, *Thuggi*, and of infanticide. For example, when some obscurantist elements amongst the Hindu Brahmans approached Sir Charles Napier with the request that the custom of *Sati* being religious, should not be interfered with, he replied:

> Be it so. This burning of widows is your custom. Prepare the funeral pyre, but my nation has also a custom. When men

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burn women alive, we hang them and confiscate all their property. My carpenters shall, therefore, erect gibbets on which to hang all concerned when the widow is consumed. Let us all act according to national customs.

Likewise, even before *Sati* was legally prohibited, District Magistrate Pigou had it stopped in his district of Bengal. J.P. Willoughby, Political Agent to the State of Kathiawar, had the ingenuity to check female infanticide by having a system introduced under which rewards were given to those families who preserved the life of a female child and punishment was awarded by way of fines to those who did not. The fines collected were deposited in a special fund called the 'Infanticide Fund' from which financial assistance was made available for dowries to the would-be brides.

Far more remarkable was the contribution of quite a few civil servants in the arena of history, culture and literature. For example, Vincent Smith, who served as Chief Secretary, in the United Provinces, produced outstanding works of history, such as the *Early History of India* (1904) and the *Oxford History of India* (1919). Alfred Lyall's *Rise and Expansion of the British Dominion in India* (1893) was another work of painstaking scholarship. Earlier, Mountstuart Elphinstone, with his publication of *History of India* (1841) had made his mark as a historian. His eminence can be judged from the fact that he was called the *Tacitus of Modern History*. Brian Houghton Hodgson did pioneering work in exploring the natural history of the Himalayan region and studying Buddhist religion, customs and language. A.O. Hume, who earned the name of 'Pope of Ornithology', carried out his classic research on Asiatic birds. There were many other monumental works in diverse fields of religion, linguistics, economics and rural life. All these works helped a great deal in opening many a window to Indian life and providing the people a great wealth of knowledge.

All in all, the record of the Indian Civil Service has been an enviable one. In reply to a query by Joseph Chailley, a noted historian of colonisation, regarding the skill, experience and moral

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worth of the members of the Indian Civil Service, Lord Dufferin, Viceroy of India (1884-1888), said:

> There is no service like it in the world. For ingenuity, courage, right judgement, disinterested devotion to duty, endurance, open-heartedness, and, at the same time, loyalty to one another and their chiefs, they are, to my knowledge, superior to any other class of Englishmen. They are absolutely free from any taint of venality or corruption. Naturally, they are not of equal worth, and so I am merely speaking of them as a whole. And moreover, if the Indian Civil Service were not what I have described it, how could the government of the country go on so smoothly? We have 250 millions of subjects in India and less than 1,000 British civilians for the conduct of the entire administration.

Even if some account is made for Lord Dufferin's inbuilt bias in favour of the ICS, the fact that a vast territory and a very large number of people were well-controlled and well-administered by a small number of civil servants was nothing short of a miracle. In this connection, the following observations made by M de Hubner, an Austrian historian and traveller of the times, are relevant:

> To what are these miracles due? They are due to the wisdom and intrepidity of a few leading statesmen, to the bravery and discipline of an army composed of a small number of British and a large number of natives, and led by heroes; lastly, I may say, almost chiefly to the intelligence, the devotion, the courage, the perseverance, the skill, combined with an integrity proof against everything, of the handful of officials and magistrates who govern and administer the whole of India.

The civil servants were described by Lord Bryce in his *Modern Democracies* (1921) as "a small official class of hard-working, disinterested persons, ruling a great country". Even Lord Curzon who, at one stage, thought that the Indian bureaucracy functioned in a highly mechanical way, wrote that he was "magnificently served" by the Indian Civil Service. When George Grierson, a retired

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member of the Civil Service, recorded in his book, *My Working Life*, that "amongst us have been great administrators, great soldiers, great teachers, masters of healing heart", he was hardly exaggerating.

Pivotal Role

The pivotal position which the Indian Civil Service occupied in the British scheme of things was made clear by Prime Minister Lloyd George in a speech delivered in the House of Commons in 1922. At that time, recruitment of Europeans to the Indian Civil Service was dwindling, and quite a few members of the service were seeking premature retirement. It appeared, as Templewood put it: "The machine of the Government in India would break down for want of political support to direct it and manpower to run it." Making out a case for giving attractive terms to the members of the ICS, Lloyd George said:

> I can see no period when the Indians can dispense with the guidance and the assistance of this small nucleus of the British Civil Service, of British officials in India... they are the steel frame of the whole structure. I do not care what you build on – if you take the steel frame out, the fabric will collapse... We cannot keep a continuous eye upon what happens in India. It depends upon the kind of Government that you have there. It is essential that they should be strengthened, but whatever you do in the way of strengthening, there is one institution we will not interfere with, there is one institution we will not cripple, there is one institution we will not deprive of its functions or of its privileges, and that is that institution which built up the British Raj – the British Civil Service in India.

Even during the war, when Britain was fighting with her back to the wall, the important role of the ICS was not lost sight of. In its despatch of December 28, 1939, to the Secretary of the State, the Government of India said:

> A peaceful India is an asset to the Empire while a disturbed India is a grave liability; and to ensure that India shall be

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internally peaceful, it is necessary to maintain a steady flow of both Indian and European recruits to these services during the period of the war.

The faith of the British Government in the Indian Civil Service was not misplaced. It served very well the interests of the Empire. Its contribution in setting up a solid administrative machinery throughout the vast territory of India and maintaining law and order therein was, indeed, remarkable. Most of the members of the service were upright, just, effective and efficient.

Stimulus of an Ideology

I have given the above historical backdrop not only to provide indenting of the events in a proper context but also to bring out a few basic questions. How is it that, within the limited parameters of the colonial rule, most members of Indian Civil Service displayed an enlightened and service-oriented attitude, dispensed even-handed justice and came to be looked upon as *Ma-Bap* of the commonfolk? What made officers like Sir Alfred Lyall to act virtually like savants and others like Vincent Smith to undertake painstaking study of Indian history, art, religion and culture? How is that quite a few of them set their face firmly against social evils like *Sati*? And what was the secret of their spotless integrity?

The answer to these questions, to my mind, is clear. The members of Indian Civil Service were a product of the intellectual climate of the times and the educational culture[8] of the British public schools and the universities of Oxford and Cambridge, which injected in them norms and values of a 'great gentleman'.[9] Their mental make-

[8]These schools and universities were as much concerned with building up character as with academic excellence. "The unheated dormitories, cold baths, cross country runs, Rugby and tough discipline were meant to foster courage and endurance".

[9]In this context, a gentleman was understood to be one who was 'an agent of justice and effective action, having fairness and thoroughness to examine facts and the integrity to act on his findings'. His demeanour was expected to be dignified and he was required to display no arrogance to his subordinates and no servility to the masters. He had to place high value on public service and equate it with a virtuous act.

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up had been shaped by the wave of liberalism that was passing through English politics and literature of the times. The ideological fervour and educational culture with which officers were imbued was no less responsible than the steel frame of the ICS in giving India a solid, sound, orderly, well-meaning and, to some extent, progressive administration.

The point that I wish to underscore here is that it is the power of the ideas that creates commitments and makes any administrative machinery move. The frame is important, but it is useless without inner fervour. History bears ample testimony to the fact that no great leader has emerged on the scene and no great event has occurred, without the stimulus of an inspired ideology, without the atmosphere around having been surcharged first. And as would be shown in the subsequent sections of this book, it is the ideological coldness and inspirational vacuum that is largely responsible for making the present-day Indian Administration what it is – weak, wayward, casual, callous and, to a significant extent, even corrupt.

Writing on the nature of the British rule in India and the manner of its ending, Penderel Moon has significantly observed:

> The British liked to think of their Indian empire as comparable with that of Rome. But whereas the Romans, at least in Britain and Western Europe, were a civilised people conquering and ruling over comparative barbarians, the British in conquering India were subjugating peoples who, so far from being barbaric like the Celtic tribes of Britain, were the products of a very ancient civilisation, as was fully realized by some of the earliest British empire builders and has become still more evident from the scholarship of recent times. Consequently the leaders of Indian society at the time of the British conquest were sufficiently sophisticated to appreciate the benefits of the British Raj and to tolerate it fairly willingly for a long period of time; and when at last at about the turn of the century a serious effort began to be made to throw off the British yoke, many of its leaders were anxious to avoid a violent conflict

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and to bring British rule to an end peaceably by mutual consent.

But that was not to be. The smooth ending, as would be seen from the next chapter, was not destined. There were quite a few pollutants in the air and they were bound to claim their victims.

The IAS officers, by and large, have become in our country weak, wayward, casual, callous, and to a great extent even corrupt.

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CHAPTER IV

INGLORIOUS YEARS

The last years of the British Raj, once the most solid and beneficial political structure in Asia, have been inglorious.

GUY WINT

India can be governed firmly or not at all.

LORD WAVELL

During the freedom struggle, the Indian Civil Service was on the other side of the fence. Inevitably, it incurred the wrath of the Congress leaders. Jawaharlal Nehru berated it as "neither Indian nor civil nor service". In 1934, he declared: "No new order can be built in India so long as the spirit of the Indian Civil Service pervades our administration and public services. It is essential that the ICS and similar other services must disappear completely."

The hostility of the Congress leaders, however, was directed to the institution of the ICS and not to its individual members. This should be clear from what Motilal Nehru, leader of the Swarajist Party, said in a letter published in the *Hindustan Times* of March 23, 1926: "Strange as it may seem to some, I have found the sun-dried bureaucrat to be the most charming fellow in the world once he has put off the bureaucratic mask which is so indispensable a part of his official kit."

Nevertheless, with the intensification of the freedom movement and rise of the Muslim League with its own agenda, the civil services came under considerable pressure. Frustration and uncertainty gripped their minds. While the sincere and earnest amongst them lost their idealism and sense of purpose, others became more

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haughty and harsh. The conditions of the time finds accurate description in Guy Wint's book, *The British in Asia*:

> The last years of the British Raj, once the most solid and beneficial political structure in Asia, have been inglorious. A group of perplexed English civil servants have carried on an administration amid the jeers of the country, under a hatred of which, mercifully, they were only partly aware, and in the humiliating shadow of the revival throughout the land of famine, to eliminate which had been one of the claims of British rule, while they sought again and again, and in vain, for the ways in which they could transfer power to the rival communal parties, without those parties at once engaging in hostilities among themselves and bringing down to ruin the work of a century. In the demoralising atmosphere, corruption in the services, from which the British regime at its higher levels had been almost uncannily free, began to be accepted once again as the normal stage.

ICS "powerful corporations".

In fact, things had begun to change after 1857, when the Indian Civil Service assumed the form of a 'powerful corporation'. Writing about its members of the post-1857 period, Blunt, a noted English poet and observer of the times, remarked: "They have become the practical owners of India, irremovable, irresponsible, and amenable to no other authority but that of their fellow members." He further notes: "The Anglo-Indian officials of the Company's days loved India in a way no Queen's official dreams of doing now; and loving it, he served it better."

The nature of relationship subsisting between the local population and the British rulers that had come into being immediately after 1857 is reflected best in a short poem that Sir Alfred Lyall, a distinguished civil servant and a historian, had penned in 1876. Describing a game of badminton that was being played near the Kashmiri Gate, Delhi, he wrote:

> Hardly a shot from the gate we stormed,
> Under the Moree battlement's shade;

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Close to the glacis our game was formed,
There had the fight been, and there we played.
Lightly the demoiselles tittered and leapt,
Merrily capered the players all;
North, was the garden where Nicholson slept,
South, was the sweep of a battered wall.
Near me a Musalman, civil and mild,
Watched as the shuttlecocks rose and fell;
And he said, as he counted his beads and smiled,
God smite their souls to the depth of hell.

On a different plane, another kind of change, a more fundamental change, was taking place. India's mindscape was acquiring a new elevation. A number of great reformers appeared on the scene and initiated social, religious and cultural movements of far-reaching consequences. They caused a new awakening, a new ferment, in society. While some movements like the Brahmo Samaj and the Prarthana Samaj came into being largely as a response to western rationalism, others like the Arya Samaj and Ramakrishna Mission rediscovered India's lost glory and greatness and brought to surface its long hidden or forgotten treasures of religion, culture and philosophy. As a result thereof, a new India – a renascent India – was born. And the growth of a strong political movement for freedom was only a matter of time.

Here, the role of Swami Vivekananda needs to be particularly underlined. He was the principal architect to cut out a new cultural stream that watered the parched soil of India and produced a rich harvest of men and women who brought her freedom. In a voice ringing with 'passionate intensity', he declared:

> Here is the same India whose soil has been trodden by the feet of the greatest sages that ever lived. Here first arose the doctrines of the immortality of the soul, the existence of a supervising God, an immanent God in nature and in man... We are the children of such a country.

Swami Vivekananda

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These inspiring words removed the spell of diffidence cast by the colonial rule and created a wave of self-respect and self-confidence which brought men of sterling eminence like Gandhi and Tilak to the scene. As Sri Aurobindo has, in his own inimitable style, said:

> British rule has been the record success in history in the hypnosis of a nation. It persuaded us to live in a 'death of the will', creating in ourselves the condition of morbid weakness the hypnotist desired, until the Master of a mightier hypnosis laid his finger on India's eyes and cried, "Awake". Then only the spell was broken, the slumbering mind realised itself and the dead soul lived again.

Vivekananda's faith in the inherent strength of India, coupled with his refreshing boldness and deep sense of patriotism, made him "an embodiment of the highest ideals of the renascent Indian nation". Sir Valentine Chirol has rightly commented: "Swami Vivekananda was the first Hindu whose personality won demonstrative recognition abroad for India's ancient civilisation and for her new-born claim to nationhood."

It was the newly acquired pride in the inherent superiority of India's culture and civilisation, and not merely her contact with the political ideals of the West, that led to the birth and growth of Indian National Congress. The Congress made a humble beginning with the demand for a larger share in the public services and for greater participation in the processes of political and constitutional reforms. It pinned its faith on the British sense of justice and passed resolutions after resolutions whose hallmark was dignity and moderation. But the British response to these demands was lukewarm and the reform came in bits and pieces, and rather slowly. As A.O. Hume[1] (1829-1912), British administrator and one of

[1]After distinguished service of 33 years in the ICS, Allan Octavian Hume retired in 1882. He supported the claims of Indians to have a large share in the governance of their own country. He wrote the prospectus of the Indian National Congress and was keen to provide a constitutional channel to the public to articulate their demands.

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the leading spirits in the founding of the Indian National Congress, ruefully remarked, "The Indian National Congress had endeavoured to instruct the Government, but the Government had refused to be instructed."

Nevertheless, some changes did occur, both in the realm of public services and constitutional reforms. At the end of the nineteenth century, there was hardly any Indian in the Indian Civil Service. But by early twentieth century, their number had begun to increase steadily. In 1904, there was one Indian and 52 European officers but by 1924, the strength of the former had gone up to 143 and that of the latter to 180, changing the proportion significantly. But this increase in the proportion of the Indian members of the civil service did not materially change the public perception about the nature of colonial rule. Most of the Indian officers were identified as 'Brown Sahibs', that is, those "who felt British, thought British, acted British and loved British" and who "spoke English at home, dreamt in it, scolded their children in it, made love in it" and "who carefully cultivated their values to conform to the British tradition".

The Council Acts of 1861 and 1892, the Morley-Minto Reforms of 1909 and the Montague–Chelmsford Reforms of 1919, however, altered, to some extent, the political environment under which the bureaucracy was to work. Quite a few Indian members of the civil service felt the impact of dual loyalties – loyalty to their British masters and loyalty to their own country which they inwardly wanted to be free. Though they managed this contradiction fairly well, they remained a target of public criticism, particularly of those who were actively fighting for freedom. In a few cases like those of Aurobindo Ghosh and Subhas Chandra Bose, no compromise with loyalty to the motherland was made. Subhas Chandra Bose, in a letter to his brother, written on February 16, 1921, regarding his decision to resign from the ICS, said:

> A life of sacrifice to start with, plain living and high thinking, whole-hearted devotion to the country's cause – all these are highly enchanting to my imagination and inclination. Further,

Subhas Bose

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> the very principle of serving under an alien bureaucracy is intensely repugnant to me. The path of Aurobindo Ghosh is to me more noble, more inspiring, more lofty, more unselfish, though more thorny.

The outbreak of the first world war made the Congress and the government sink their differences. The former believed that the latter was fighting for democracy and freedom and declared its total support to the British war efforts. As many as 1.4 million Indians joined the Army and fought shoulder to shoulder with the British troops, losing as many as 62,000 lives. Even strong critics of the British government like Bal Gangadhar Tilak declared on August 27, 1914:

> The reforms introduced during Lord Morley's administration will show that the government is fully alive to the necessity of progressive change, and desire to associate the people more and more in the work of Government... this indicates a marked increase of confidence between the rulers and the ruled.

The end of the war, however, brought in anger and frustration. The survivors of the trenches in France had brought back to their towns and villages not only tales of war and fighting but expectations of a better life, and a share of the democracy for which they had been told they were fighting. Instead, they had found soaring inflation, high taxes, and uncontrolled influenza epidemic that claimed 12 million lives throughout India – 20 per cent more than the entire death toll for all sides during the war – and the threat of increased repression from the government.[2]

Disappointed by the attitude of the Government, the Congress adopted an agitational approach which, in course of time and under the inspired leadership of Mahatma Gandhi, assumed the form of a mass civil disobedience movement. With this movement gaining strength, the civil services came under heavier pressure and

[2]Anthony Read and David Fisher, *The Proudest Day*, p.2.

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sometimes acted in a manner that added immensely to the growing tension between the rulers and the ruled. A striking example of this phenomenon was the infamous incident that occurred on April 13, 1919, at Jalianwala Bagh, Amritsar. Unable to cope with the public demonstrations and disturbance, Mills Irving, Deputy Commissioner – "a man broken by fatigue, anxiety and the weight of responsibility too heavy for his shoulders" – handed over the city to Brigadier-General O'Dwyer who ordered firing, without provocation, on an unarmed crowd which had gathered in the Bagh on Baisakhi Day. This brutal act which killed, according to the official accounts, as many as 379 men, women and children and wounded another 1200, lasted just ten minutes. But in "those ten minutes, General O'Dwyer had destroyed the trust in British justice and fair-play that had been built up over one and a half centuries. He had shattered the myth of benevolent paternalism which had allowed a tiny group of barely 1000 civil servants, backed up by sometimes as few as 15000 British soldiers, to govern over 400 million Indians".

A particularly pernicious development occurred in the meanwhile. The principle of communal representation was introduced in the public services and in the legislature. From 1922, the practice of nominating Indians from minority communities, who were unsuccessful at the examinations, was introduced. "Of the 87 Muslims who entered the ICS during the period 1922-43, 11 were successful at the London examination, 18 were successful at the examination in India, and the remaining 58 (68 per cent of the total) were not successful at the examinations but were nominated to the ICS."[3] This development had the effect not only of undermining the purity and fairness of the selection process but also introduced a new loyalty – loyalty to one's own community – in the machinery of governance. It was on account of this factor that by the mid-thirties and early forties, the ICS and other services had virtually got divided into two broad camps – sympathisers of

[3]From *India's Political Administrators (1919-1983)* by David C. Potter

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Muslim ICS extended support for Pakistan.

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the Congress and the sympathisers of the Muslim League. "By the autumn of 1946, all Indians in Central Government were either Congress, more or less, or League, more or less". The Muslim members of the Civil Services were far more active; they extended covert, and sometimes overt, support to the idea of Pakistan. Some of them developed a close rapport with senior Muslim League leaders like Liaquat Ali Khan and Sir Feroz Khan Noon.

While the ICS was, by and large, able to quell the Quit India movement on the ground, its position, with the passage of time, had considerably weakened. In 1945, Lord Wavell summed up the position succinctly:

> ICS and IP are dispirited and discontented; the Indian members of these services are uneasy about the future and under strong political and social pressure; while the Indian subordinates on whom the administration so largely depends are naturally reluctant to make enemies of the future masters of India.

The writing on the wall was clear. Henry Twynam, Governor of the Central Provinces, wrote to the Viceroy in November, 1945:

> At present, in this Province, I have three European Commissioners, five Deputy Commissioners, no Sessions Judges, no Assistant Commissioners, and seven District Superintendents of Police. This handful of Europeans has to deal with a population of 18 or more millions over an area of 100,000 square miles. It will be readily appreciated how difficult it will be for the administration if the present "hymn of hate" leads to the retirement of any substantial proportion of this handful of officers.

Sir Stafford Cripps was even more forthright. While introducing the Indian Independence Bill in Parliament, he said:

> We quit because quite apart from the moral question as to the rightness of our rule, the essential instruments of our rule (especially the ICS and Indian Police) no longer have the

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powers to carry out their responsibilities within the provinces of British India.

It was mainly because of these unfavourable developments that the Indian Civil Service failed miserably in curbing the 1946-47 riots. In the circumstances then prevailing, no administration could have, perhaps, stopped the riots from occurring or killings taking place. But the extent to which the riots spread and the extent to which the killings, kidnapping, arson and looting were resorted to, exposed the rot that had set in the spaces within the 'steel-frame'. In no time, the machinery fell to pieces. As a young boy, I was myself a witness, in a small town of Hafizabad, to the horrible violence and massacre and of total collapse of every organ of the British-Indian Administration.

What is most astonishing is the lack of comprehension of the ground-level reality by the governance machinery which was once reputed to be so alert that even a flutter of a sparrow's wing could not escape its notice. It showed no foresight, no sensitivity to the rapid changes that were occurring before its very eyes. It did not even think of formulating a contingency plan. On November 25, 1947, Lord Mountbatten, in his report to the British monarch, said:

> It had been obvious to anybody that there were going to be disturbances in Punjab on the transfer of power. But I freely confess that I did not anticipate the scale and extent of what was going to happen, nor, so far as I am aware, did anyone in authority in India, Pakistan and the United Kingdom anticipate this.

The two titans of India's freedom struggle – Nehru and Patel – made similar admissions. Nehru said:

> When we decided on partition I do not think any of us ever thought that there would be this terror of mutual killing after partition. It was in a sense to avoid that that we decided on partition. So we paid a double price for it. First, you might

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> say politically, ideologically; second, the actual thing happened what we tried to avoid.

Patel also regretted that "they were so blinded by the happenings around that they could not see the wrong they were doing to the country."[4] Even Penderel Moon, who is believed to have read the situation more accurately than all the others on the scene, wrote: "I quite failed to grasp the speed with which disturbances and displacements of population in the centre of the province would resolve themselves into a vast movement of mass migration, affecting not only the whole Punjab but adjoining areas as well. I envisaged a slower, more prolonged, more confused and chaotic agony. Punjabis in general were strangely unprepared for what was coming."[5]

The consequence of this inexcusable blindness was one of the most inhuman tragedies known to history in which more than half a million people perished. India is believed to have won freedom by non-violent means; but, surprisingly, few realise that its path to freedom was paved with blood, terror, rape and plunder and involved abandonment of hearths and homes by over thirteen million people. The failure of the governance machinery becomes all the more glaring when it is recalled what Lord Mountbatten had said to Maulana Azad who had expressed his fears about the likelihood of bloody riots:

> At least on this question I shall give you complete assurance. I shall see to it that there is no bloodshed and riot. I am a soldier and not a civilian. Once partition is accepted in principle, I shall issue orders to see that there are no communal disturbances anywhere in the country. If there should be the slightest agitation, I shall adopt the sternest measures to nip the trouble in the bud.

Another abysmal failure of the governance machinery in the last phase of the British Raj in India was the Great Bengal Famine of

[4]Rafiq Zakaria: *Jinnah: The Man Who Divided India*, p.158.
[5]Sir Penderel Moon, *Divide and Quit*, p. 93.

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1942-1944 which resulted in the death of two to four million people. Here, again, there was no anticipation, no clear idea either of the scale or complexity of the problem. A series of mis-judgements and inept handlings by a complacent administration caused a grim human tragedy which reached its peak in 1943 when, ironically, Bengal was producing the largest rice crop in history.[6] Even the official Famine Inquiry Commission (1945), which was rather soft on the authorities and understated the death toll, "indicted the Bengal government for administrative bungling and the Government of India for its failure to evolve an integrated food policy for the country as a whole". The British government at home, too, showed a pathetic lack of understanding. Lord Wavell, in a letter of October 24, 1944, to Winston Churchill, the Prime Minister, himself noted: "The vital problems of India are being treated with neglect, even sometimes with hostility and contempt."

The last years of the British governance in India were tragically inglorious. These were the years of blunders, miscalculations and lapses of truly historic proportion. The political and administrative governors of the time, by their acts of commissions and omissions, created chaos, confusion and human tragedies which have few parallels in the annals of mankind. These were the years in which the steel frame degenerated to the form of a moth-eaten bamboo structure. These were also the years which showed how inherently weak India's social structure was, how neighbours fell upon neighbours with the ferocity of mad dogs, how the public services themselves added to the fury and fire and how the governance machinery with a polluted soul acted as an instrument of disorder rather than of order and made the miserable even more miserable.

[6] Amartya Sen: *Poverty and Famine – The Great Bengal Famine.*

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CHAPTER V

PATEL'S FINEST HOUR

I do feel that there is some magic in this moment of transition from the old to the new, something of that magic which one sees when the night turns into day and even though the day may be a cloudy one, it is day after all.

JAWAHARLAL NEHRU

We, as a nation, have generally not realised that the great questions of the day are not settled by speeches and slogans but by sound and solid action. Ideas are important; but it is the constructive work alone that can 'inject meaning into the veins' of history and civilisation.

AUTHOR[1]

One of the loudest messages of the 'inglorious years', analysed in the preceding chapter, was that "India could be governed firmly or not at all". No one was aware of this phenomenon more acutely than Sardar Vallabhbhai Patel. His own leadership rested upon clarity, discipline, firmness and practical sense. He knew that "things were revolutionalised not by creating revolutions on the streets but by finding practical solution of the problems." It was the country's good fortune that a leader with such an outlook was at the helm of affairs around 1947. His role in shaping the governance machinery and providing stability to the country was truly remarkable.

There is no one in modern India who achieved so much in so many directions and in such a short time as Sardar Patel. At the time of his death, the Manchester Guardian wrote: "Without Patel, Gandhi's idea would have less practical influence and Nehru's idealism less scope. He was not only the organiser of the fight for

[1]Quoted from the author's article on Sardar Patel, published in the Hindustan Times of October 30, 1995.

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freedom but also the architect of the new State when the fight was over. The same man is seldom successful both as rebel and statesman. Sardar Patel was an exception".

Sardar Patel's integration of over 561 princely states was really a great "triumph for the sense of realism and responsibility". In respect of this great task, he has often been compared with Chancellor Bismarck who had unified Germany in the late 19th century. But Patel's achievement is far more significant than Bismarck's. The latter had to deal with about two dozen states while Patel had to handle 561. While Bismarck had resorted to the policy of "blood and iron", Patel brought about a bloodless revolution. He showed an amazing capacity to size up men and moments and to strike when the iron was hot. Without spilling any blood, he caused about 800,000 square kilometres of land to be added to the Indian Union, besides a population of 86 million.

Both Gandhi and Lord Mountbatten warmly recognised Sardar Patel's great contribution. Gandhiji observed: "The task of dealing with the princes was truly formidable, but I am convinced that Sardar was the only person who could have coped with it". Lord Mountbatten, in his letter of June 19, 1948, to Patel, wrote: "There is no doubt that by far the most important achievement of the present Government is the unification of the States into the Dominion of India. Had you failed in this, the results would have been disastrous. But since you succeeded, no one can see the disastrous consequences that you avoided. Nothing has added to the prestige of the present Government more than the brilliant policy you have followed with the States."

Patel first formulated a great design for a well-knit India and then proceeded to materialise it on the ground. He aroused the patriotic sentiments of the princes and reminded them: "We are at a momentous stage in the history of India. By a common endeavour, we can raise the country to a new greatness while lack of unity will expose us to fresh calamities". At the same time, he took care not to allow any grass to grow underneath his feet. He scotched Nawab of Bhopal's sinister idea of grouping a few states and securing a

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separate dominion status. And when compulsive denigrators of India, like Winston Churchill, tried to complicate the Hyderabad problem by propping up the divisive game of the Nizam, "an old and faithful ally of the Empire", Patel responded clearly and firmly: "It is only in spirit of good will and not on the malice and venom of Mr. Churchill's tongue that an enduring relationship can be built between India and Britain and other members of the Commonwealth". The message went home and browbeating of India stopped.

On the eve of Indian independence, the key public services, the ICS and the IP, were, by and large, distraught, disspirited and divided. Their future was uncertain. The Muslim members of the services, though jubilant over the creation of Pakistan, were a bit hazy about their future in the new state; the Europeans were primarily concerned with securing good retirement benefits, while the Hindu officers were not clear whether the old hostility of the Congress towards them would continue or not. Thanks to the constructive genius of Sardar Patel, the tangle was satisfactorily resolved. The allocation of the ICS and the IP officers to India and Pakistan was carried out smoothly and speedily. The European officers were allowed to retire on liberal pension, much to the satisfaction of the British government in England.

Being an 'implementation man' *par excellence*, Patel was aware of the crucial role which the Civil Services had to play in tackling the great many problems which India had to face at the time of Partition and, later, as a nascent democratic republic. His approach was that of a constructive statesman. He did not allow the past rancour of the Congress against the ICS to blur his vision. He firmly believed that the All-India Services had a vital role to play in building up a strong and united India. He advocated retention of the ICS and the IP and proposed the constitution of two new Services – the Indian Administrative Service and the Indian Police Service.

In support of the scheme to constitute two new All-India Services, Patel advanced four basic reasons. First, it would enable a higher

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efficiency to be attained by the public services in general. Secondly, it would establish a close liaison between the States and the Union. Thirdly, work at the field level, particularly in the district, would bring in experienced officers to the higher echelons of the Union Government and thus help in formulation of sound policies. Fourthly, both the State Governments and the Union Government would acquire "a wide outlook and bring freshness and vigour" to their work.

Patel persuaded Nehru, who had earlier vowed to end the ICS, to fall in line with his mode of thinking. While speaking in the Constituent Assembly in November, 1947, Nehru said: "First thing must come first, and the first thing is the security and stability of India."

Quite a few observers of the time were surprised at the attitudes of Patel and Nehru. A journalist commented: "This would be unbelievable were it not true. Nehru and his colleagues are seeking to build a new India and an egalitarian society through the agency of those who had been the trained servants of imperialism – it is as if Lenin, on arrival in Russia, had promptly mustered the support of all the white Russians he could find".

Patel explained his reasons for continuation of the institution of the ICS during the debate in the Constituent Assembly on Article 314 of the Constitution of India. In the course of this debate, quite a few members criticised his proposals. Saxena reminded the Assembly: "It was the steel frame of the ICS that had enslaved us". Ayyangar said: "It means that they were the rulers under the old regime and that they will continue to be so in this regime". But Sardar defended the ICS vigorously.

In a speech, which must be reckoned as historic in the arena of public administration in India, Patel said:

> In point of patriotism, in point of loyalty, in point of sincerity and in point of ability, you cannot have a substitute. They are as good as ourselves, and to speak of them in disparaging terms in this House, in public, and to criticise them is doing disservice to yourselves and to the country.

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> I wish to place it on record in this House that if, during the last two or three years, most of the members of the services had not behaved patriotically and with loyalty, the Union would have collapsed. You ask the Premiers of all Provinces. Is there any Premier in any province who is prepared to work without the Services? He will immediately resign. He cannot manage. We had a small nucleus of a broken Service. With that bit of Service we have carried on a very difficult task.
>
> As a man of experience I tell you, do not quarrel with the instruments with which you want to work. It is a bad workman who quarrels with his instruments. Take work from them. Every man wants some sort of encouragement. Nobody wants to put in work when everyday he is criticised and ridiculed in public. So, once and for all decide whether you want this at all. I will take the Services with me and go.
>
> The Union will go – you will not have a united India, if you have not a good all-India service which has the independence of mind to speak out its mind, which has a sense of security. If you do not adopt this course, then do not follow the present Constitution. Substitute something else. Put in a Congress Constitution or some other Constitution – whatever you like – but not this Constitution. This Constitution is meant to be worked by a ring of Service which will keep the country intact.[2]

Patel's recognition of the great worth of the service was obvious from his virtual threat: "If you decide not to have this Service, I will take the service with me...". His warm acknowledgement of the constructive role played by the Indian Civil Service in 1946-49 boosted the morale of the officers and gave them a new sense of confidence and purpose. They saw in him a 'great guardian of their legitimate interests'. V.P. Menon, in his letter to Patel, said: "Your speech in the Constituent Assembly has heartened the services and

[2]India: Constituent Assembly Debates, ix – October 10, 1949.

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had a tonic effect on their morale. We are most deeply indebted to you."

This was Patel's finest hour. He had, with the enthusiastic support of the officers, not only completed the integration of the States and steered the country through a critical phase but also put the Indian administration on a secure and solid foundation. The steel-frame was re-erected. But it had now to support a new edifice – the Constitution of India. This frame did not determine the interior spaces of the new edifice; it was solely required to provide strength and safety to it. Lloyd George, in his speech quoted earlier, had made a pointed reference to this aspect: "I do not care what you build on it – if you take the steel-frame out, the fabric will collapse". Patel ensured that the frame was retained. What was to be built upon this frame and how its interior spaces were to be planned and developed depended upon the vision and good sense of the new leadership that came to power in the post-August 1947 India.

Our founding fathers had the ingenuity and nobility of mind to draft and adopt a Constitution which fulfilled practically all the requirements for providing good governance – a representative democracy based upon adult franchise; separation of power; rules of law; an independent and integrated judiciary; a set of legally enforceable fundamental rights which are essential for human dignity and freedom; a flexible mechanism which could be federal as well as unitary; a pattern of All-India Services; and a social and economic order which rested upon liberty, equality and fraternity. This framework was the best that could be conceived for bringing about a fair, just, humane and enlightened social order by fair, just, humane and enlightened means. But Constitutions are not what they contain but what they do. Whether or not the Indian Constitution could attain the goals that it had set up for itself depended upon the mind and motivation of the new political and administrative governors.

In the earlier phase of the post-Independence period, there was a realisation, albeit somewhat imprecisely, that a new spirit had to be infused in the governance machinery. In a radio broadcast on

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September 07, 1959, on "Public Servant in a Democracy", Govind Ballabh Pant observed: "The machine has its own advantages. Without a system, without regularity, no organisation can function. But there is something more. That is the soul of administration." In the subsequent years, however, this realisation regarding the importance of soul was first relegated to the background and then forgotten altogether.

While moving the Objectives Resolution in the Constituent Assembly in December, 1946, Jawaharlal Nehru said:

> We are at the end of an era and possibly very soon we shall embark upon a new age; and my mind goes back to the great past of India, to the 5000 years of India's history, from the very dawn of that history which might be considered almost the dawn of human history, till today. All that past crowds around me and exhilarates me and, at the same time, somewhat oppresses me. Am I worthy of that past? When I think also of the future, the greater future I hope, standing on this sword's edge of the present between this mighty past and the mightier future, I tremble a little and feel overwhelmed by this mighty task. We have come here at a strange moment in India's history. I do not know but I do feel that there is some magic in this moment of transition from the old to the new, something of that magic which one sees when the night turns into day and even though the day may be a cloudy one, it is day after all, for when the clouds move away, we can see the sun later on. Because of all this I find a little difficulty in addressing this House and putting all my ideas before it and I feel also that in this long succession of thousands of years, I see the mighty figures that have come and gone and I see also the long succession of our comrades who have laboured for the freedom

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of India. And now we stand on the verge of this passing age, trying, labouring, to usher in the new.[3]

There was a lot of 'trying' and a lot of 'labouring'. Soon an excellent Constitution was enacted and a fairly sound system of governance brought into being. But the great spirit of the 'mighty past' was never recaptured. And, consequently, the 'mightier future' eluded India. The only constructive genius on the scene, Sardar Vallabhbhai Patel, who could have translated at least some of the declarations into deeds, disappeared. He passed away on December 15, 1950.

[3]The elevating wording of this Resolution shows how, on some occasions, Jawaharlal Nehru felt deeply inspired by the rich heritage of Indian civilisation. Unfortunately, he failed to inject this inspiration in the task of nation-building.
In this connection chapter XI, titled : 'Rekindling the Power of the Indian Mind' in which I have brought out the triumphs and tragedies that India encountered during the 5000 years' march of its civilisation, may be seen.

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CHAPTER VI

THE GODS THAT FAILED
(PRE-REFORM PERIOD – 1947 TO 1991)

Our opportunities are great but let me warn you that when power outstrips ability, we will fall on evil days.

DR. S. RADHAKRISHNAN

If a society is not in reasonable health, democracy can not only be risky but disastrous.

ROBERT KAPLAN

The position that obtained, immediately after the attainment of Independence, was that, notwithstanding what happened during the 'inglorious years', there was a well-structured professional civil service which generally enjoyed a high reputation for competence and integrity and some of whose members were capable of following the tradition of the past and of attaining great heights and emulating the contributions made by stalwarts like Malcolm Hailey, Sir Alfred Lyall and Vincent Smith. It had all the potential of building up a peaceful, progressive and democratic India in the mould of a new Constitution, and of eliminating the centuries-old scourges of poverty, ignorance and disease. But, on account of its inability to acquire an elevated spirit and an awakened soul, the god of the ICS/IAS and other services failed and deterioration set in. But it was not this god alone that failed. The other gods in the social and political arenas from whom much was expected also put up a poor show. A steady decline was witnessed in practically every sphere of public administration, be it devotion, diligence, output, impartiality, objectivity, integrity, compassion or creativity. The nuts and bolts of the structure started falling apart, and by 1991, it

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stood badly battered and bent. It was overburdened with junk and its interior spaces were infested with all types of pests.

In the early fifties, Jawaharlal Nehru had declared: "We would build a mighty India – mighty in thought, mighty in deeds, mighty in culture, and mighty in service to humanity". Tragically, by 1991, India had become virtually a State which had lost its moorings. It resembled an old-model ship on a rough sea, being buffeted by turbulent waves, sometimes in one direction, sometimes in another. It was on the verge of a catastrophe. Its politics were shabby and shallow, its administration soft and superficial, its society fractured and fragmented and its economy woolly and wayward. Its intellect had lost practically all strands of originality, its cultural stream was getting muddier by the day. It did not know how to deal with the rising menace of terrorism. Punjab, Kashmir and the North-East were engulfed in bloody turmoil. All over the States, the Police were in disarray. The Courts had accumulated a pendency of more than 2 crore cases. Justice, be it civil or criminal, social or economic, was losing sight of its fundamentals. The Union Government did not seem to possess either political cohesion or the will to deal with the plethora of problems that stared in its face. Its finances were in shambles. It had hardly any foreign exchange to fulfil its loan repayment obligation or to import items necessary for its economic survival.

All in all, by 1991, foot-prints of a failed Republic that came into being on January 26, 1950, were visible in almost all the arenas of polity and its administration. The horizon was getting dark and dreary. India had generally been deficient in deeds; now it was becoming deficient in ideals as well. No one was even talking of the 'mighty past' or 'mightier future' or attempting to search for the lamp of Asia, repair and renovate it, fill it with fresh oil and re-ignite it. The closure of the Indian mind was once again reflected in the superficiality of its approach. The only measure that its leaders could think of was the standard prescription of the World Bank and International Monetary Fund. Open up! Become a hand-maiden of the West! And call it Reform!

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What are the reasons of the aforesaid failures? Why did the Republic, set up with high hope in 1950, wear a frustrating look in 1991? How was it that even the few good strands inherited from the British administration soon disappeared?

REASONS FOR FAILURE

This failure is primarily due to four major factors:

(i) poor quality, in general, of leadership;
(ii) an unskilled democracy and its impact on administrative machinery;
(iii) inability to adjust to manifold changes that were bound to occur both in the internal and external environment of the country; and, above all,
(iv) unwillingness to explore the old and abandoned reservoir of great wisdom, nobility and motivation, and create an inspired and invigorating philosophy of work and conduct.

Quality of Leadership

The post 1947-50 India required a sound, honest, mature and well-informed political leadership and also a healthy social and cultural environment which could create a new zest and a new capacity for creative and constructive work in each and every organ of the society. A new inspiration, a new sense of mission, had to be acquired by the nation as a whole. And that was exactly what was not forthcoming. On the contrary, after the early years of independence, when the scene was dominated by a few towering personalities, the leadership that emerged did not have either the vision or the capacity to provide the inspiration that was needed.

Even during the heyday of Gandhian politics and patriotism, the fire of the freedom struggle had not touched all the corners of the Indian mindscape and welded the character of the Indian leadership, in general, in the right frame. Quite a few parts of the

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frame remained loose. Fragility was particularly pronounced in the areas of maturity and selflessness. And quite a few jail-going folks – 'Augusters', as they were called – were, beneath their skin, no different from 'thieves' and 'robbers'.

In this connection, it would be relevant to invite attention to Patel's letter of July 29, 1947 to D.P. Mishra who had written to him earlier, expressing his annoyance and disappointment over certain decisions of Jawaharlal Nehru. This letter of Patel provides an insight into some of the significant characteristics of the Indian leadership of the time. In the first part of the letter, Patel wrote:

> Though the president (Nehru) has been elected for the fourth time, he often acts with childlike innocence, which puts us all in great difficulties quite unexpectedly. You have good reasons to be angry but we must not allow our anger to get the better of ourselves. We are passing through a critical period and our life's work may either yield successful results or our hopes may all be dashed to pieces by sheer foolishness on our part and the cup which is full of nectar and which is very near our lips may drop down from our hands before we can taste even a drop of it. The situation is full of perplexities and difficulties, but on such occasion seasoned soldiers have to hold their feet firmly and tightly on the ground and brave the tumult and storm through which the country is passing.
>
> You may perhaps be thinking that I must have been consulted. Many Congressmen also think so. But you will be surprised that when I was informed of the new personnel, I pressed for being relieved of the burden. I cannot write to you all in a letter, because it would be unwise, but I feel as much that our cause has been injured at a critical juncture. I cannot afford to get out of it because it would be injuring our cause.
>
> He has done many things recently which have caused us great embarrassment. His action in Kashmir, his interference in the Sikh election to the Constituent Assembly, his Press Conference immediately after the AICC are all acts of

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> emotional insanity and it puts tremendous strain on us to set matters right. But in spite of all his innocent indiscretions, he has unparalleled enthusiasm and burning passion for freedom which make him restless and drive him to a pitch of impatience where he forgets *himself*. All his actions are governed by a supreme consideration of reaching the cherished goal with electric speed. His mind has been exhausted by overwork and strain. He feels lonely and he acts emotionally and we have to bear with him in the circumstances.

The above contents show that the top leader, Nehru, though sincere and patriotic to the core, did not possess that level of balance which was needed to handle complex problems. At the same time, however, there were on the scene constructive and steadfast leaders like Patel who could set most matters right and give positive and constructive directions. With the passage of time, elements of superficiality made deeper inroads. Sincerity and earnestness declined, and solid and sound hands virtually disappeared.

It is the second part of the letter that is more significant. It says:

> You are right when you say that the atmosphere is full of violence. You must be reading 'Harijan', wherein you will find that there can be no greater condemnation of the present day hypocrisy, tomfoolery and mad race for power politics. You have seen that the Madras Ministry is formed and functioning against Gandhiji's advice. Who could have thought of its possibility before 1942? And yet these people claim or profess to belong to the Gandhian school.
>
> The mad race for going into the Constituent Assembly has caused him (Gandhi) considerable pain and he has come out with his heart's agony in an article in which he compares these people's jail-going with that of thieves and robbers. These people are also Congressmen of the Gandhian school. The underground variety of Congressmen, who call themselves "Auguster", think that they created the August revolution. Like a dog walking under a fully loaded cart, they feel that the

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whole load is on their shoulders and they are dragging the whole cart.

Clearly, even at that time, a large part of the leadership was made of poor clay. In the absence of any new inspiration emerging in the post-1947 period, when opportunities to reach the seats of power increased, this clay was bound to deteriorate further. And it did.

This deterioration was noticed by practical and perceptive minds like Patel's. Four months before his death, Patel had said:

> Certain tendencies and developments in our administration and public affairs fill me with some disquiet and sadness of heart. Our public life seems to be degenerating. We talk when the paramount need is that of action. With all the sincerity and earnestness at my command, I appeal to my countrymen to reflect on what they see in and around themselves.

But there was no true reflection. Whatever was thought and said was confined to a few poetic and impassioned outbursts. Their translation into deeds seldom occurred. The moral and social health of India and the quality of leadership at many a crucial level of governance were not good as is sometimes assumed by those who talk of great days of the Gandhian or the Nehruvian era. This should be clear from Dr.Radhakrishnan's warning given to the nation in his address to the Constituent Assembly on the midnight of August 14-15, 1947:

> Unless we destroy corruption in high places, root out every trace of nepotism, love of power, profiteering and black-marketing which have spoiled the good name of this great country in recent times, we will not be able to raise the standards of efficiency in administration as well as in the production and distribution of the necessary goods of life.

The very occurrence of the Partition, the disastrous consequences of which plague the Indian polity to this day, was itself a consequence of a faulty leadership. An influential section of it showed little in-depth understanding of the men and moments

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during the period 1942-1947. Freedom came. But it was accompanied by blood and bitterness. Leadership was afflicted by a debilitating disease – a disposition to be superficial and soft, not to call a spade a spade, not to see reality as it was, but to reconstruct it in the imagination and live in a world of make-believe. Hard and inconvenient facts which led to the partition were not recognised but pushed under the rug. This led not to the elimination of flaws in leadership, but to their multiplication. The fall-out of it was soon seen in Kashmir, the blood-dimmed tide of which is still soaking the nation in more than one way.[1] But all this is a part of a different story which this book does not deal with. Suffice here to underline, the quality of leadership that came to occupy various levels of power-structure was deficient.

One of the reasons for the efficiency and effectiveness of the Indian Civil Services was the generally high quality of leadership which it had to serve and from which it had to obtain its orders and upon which it had to look as a role model. The task which the leadership set for the Civil Services was clear, precise and thoroughly worked out in advance. The leadership itself was highly educated, upright, experienced, mature, methodical and well-versed in the task which it called upon the Civil Services to perform.

Take, for example, the leadership of Lord Curzon. When he formulated his policy of the preservation of archaeological monuments, he clearly spelt out his views, laid down the organisational pattern of the new department, defined the principles on which monuments could be declared as "protected", and indicated precisely what he expected his officers to do. With the policy and objectives neatly outlined, and with motivated and well-informed leadership to guide and supervise, the officers knew that they had to put their best foot forward and deliver the goods failing which they would be spotted out, marked as inefficient or ineffective and relegated to unimportant assignments or demoted or even

[1]For a detailed and updated study of the Kashmir issue and its tragic mishandling, reference may be made to the author's book, *My Frozen Turbulence in Kashmir*, Sixth edition, published by Allied Publishers, New Delhi.

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pensioned off. In these circumstances, both the quantum and quality of administrative output was bound to be of a very high order. That was why in preserving and protecting the ancient monuments, the achievement of Curzon's administration was phenomenal. It did so much in such a short time. It showed insight, a sense of history and heritage, and, above all, an acumen to outline the goals with clarity and precision and to attain them with dynamism and dedication.

Another example of the healthy impact of a high quality of leadership on efficiency and effectiveness of an administrative machinery is provided by the integration of princely states in the Indian Union during 1946-49, briefly referred to in the previous chapter. Sardar Patel indicated his policy clearly to his top civil servants who, knowing what they were expected to do and drawing inspiration from his straight-forward, practical and patriotic approach, went straight to their job with guts and gusto and performed the task remarkably well.

But, with the exception of first few years after independence, high-quality leadership became a rarity. The leadership that came to occupy key positions, particularly at the State and local level, did not have the required calibre. The conditions started deteriorating. Relationship between the civil services and the political executives became unhealthy – strained in some cases and corrupt in others.

Though bureaucracy, as would be explained later on, has to take its share of the blame, the decline in the quality of political leadership was largely responsible for the low-level performance of the governance machinery. Instead of looking into their own shortcomings, the political leaders generally resorted to bureaucracy-bashing. It was propagated that civil servants were obstructive, ignoring the fact that they themselves were the major cause of the problem. The poverty of their own earnestness prevented the declared ideals, ideology and aspirations from being translated into policies, plans and programmes. Even where policies, plans and programmes were formulated in some arenas of economy, as in the

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National Five-Year Plans, extraneous considerations began to seep in the process of implementation and the requirements of principled and efficient governance were increasingly sacrificed at the altar of political expediency or narrow personal interests. When these extraneous considerations failed to go through bureaucratic tangles and caused delays, the Ministers, and other political elements, started accusing the civil services of being obstructionists and carriers of the colonial legacy. This caused friction between the well-meaning civil servants and their not so meaning political masters. Talk of committed bureaucracy added to mistrust and hostility between the two. The fallout of this development on the governance machinery was bound to be adverse. Delays in disposal of government work increased and confusion crept in at various levels of administration. If the political leaders were able to secure removal of 'obstructive' or inconvenient civil servants and get them replaced by officers of their choice, they and the new set of officers developed an unhealthy nexus and took faulty, and some times even patently corrupt decisions.

Here, it may be relevant to point out that no civil service in a parliamentary democracy can really obstruct implementation of a clear policy laid down by a high quality political leadership. It is unthinkable that the leadership of the calibre of Willy Brandt, Helmut Kohl or Margaret Thatcher could be obstructed by the civil services from securing translation of their objectives. Leadership of this genre knows its job. It cannot be misled by any civil servant. Its intellectual level is often higher than that of the civil services. If any point is raised and argument advanced by a civil servant, the political executive has the necessary knowledge and intellectual capacity to meet the point and rebut the argument. It is, as Sardar Patel observed in defence of All-India Services, only a bad workman who quarrels with his tools. If the political executive knows its job, no civil service can stand in its way.

In this connection, let me invite attention to the history of the Labour Government, headed by Clement Attlee, that came into power after the World War II as a result of the general elections

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held in 1945. It was thought that the British Civil Service which generally hailed from a conservative background would not let the Labour Government smoothly implement its socialist programme. But what happened was truly remarkable. In less than one year, 73 'socialist' Bills were introduced, 55 passed and accorded the Royal assent. The cable and wireless communications, road and rail transport, electricity and gas were all nationalised. There was hardly any friction between the Ministers and the civil servants. Every scheme of planned economy was carried out with speed and silken smoothness. The political leadership knew its job and was committed to the promises held out to the electorate. No civil service, however, unsympathetic and ingenious in raising objections, could have caused hindrance to the programme of such a sincere, knowledgeable and intellectually and ideologically well-equipped political leadership as that of the Labour Party of the forties.

It was not merely the political leadership that was found wanting in our case; the civil service leadership turned out to be no better. The decline in their standards was slow in the initial years but accelerated later on. Consequently, we have today the following four categories of officers:

(i) Officers who have brains as well as backbone;
(ii) Officers who have brains but no backbone;
(iii) Officers who have backbone but no brains; and
(iv) Officers who have neither brains nor backbone.

The first category of officers, that is, those who have the courage of conviction and also intelligence to argue their viewpoint, is a rarity these days. They start asserting themselves in the early phase of their career. They support the Ministers wholeheartedly when they are right but oppose them when they are wrong. They also put their heart and soul in work. Unfortunately, most officers, even of this category, undergo experiences which embitter them, and they soon realise the futility of their conscientious stand and earnest work. They carry on, adjusting themselves to the circumstances in the best manner they can. If they are fortunate, they come into contact with the few well-meaning political executives who are still

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around and who have the inclination and good sense to reward merit and encourage dispassionate advice and constructive work.

2. It is the second category of Officers who generally aid and abet the wrongdoings of Ministers. They, using their intelligence and knowledge, informally advise the Ministers how to circumvent rules and procedures and make wrong things look right. It is they who usually secure plum postings and wield, under unhealthy political patronage, power much beyond their status. Sometimes, however, they come to grief and even go to jail along with political godfathers, as has happened to about half a dozen senior IAS Officers of Bihar as a result of the fodder scam.

3. Officers of the third category are usually the ones who are stolid and stubborn. Since they have little intelligence, they generally pick up the wrong end of the stick and in their attempt to be firm, persist with their stand, howsoever negative and harsh it may be. It is their behaviour which public in general and politicians in particular have in view when they label bureaucracy as obstructive, insensitive and wooden-headed.

4. There is hardly any distinct impact of the fourth category of officers. They are non-entities of the system. Being weaklings, they are vulnerable to exploitation by senior officers as well as by politicians.

Clearly, the civil services in India have lost their elan, their *esprit de corps*. They have been fragmented and fractured. Of late, another factor has been adding to their fragmentation. Whatever be the justification for "reservations" and caste-based appointments and promotions, they have, so far as the relationship between Ministers and Civil Servants is concerned, injected another unhealthy feature in the functioning of our public services. The officers belonging to a particular caste look to Ministers of their own caste for advancement in their service career or for securing undue benefits or for warding off a disciplinary action that may be contemplated against them. The very rationale of hierarchical and disciplined bureaucratic structure is being undermined. Prof. V. Subramaniam, a noted scholar of the subject, has rightly observed:

Ah! What a mis-fortune.

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> This reservation policy will sooner than later create a pernicious patron-client relationship between successful reserve recruits and their caste or tribe and a mutual back-scratching alliance between the politicians and the civil servants of the same caste and a fast drift of the best brains into private enterprise and to the first-world countries.

There may be nothing wrong in the reservation policy per se. But the way some politicians and civil servants are exploiting it has further deformed the already deformed structure of public administration in the country.

The respective roles of the political executive and civil services, under a parliamentary system of government, find correct and clear expression in Ivor Jennings' book : *Cabinet Government*. It says:

> Determination of policy is the function of ministers, and once a policy is determined it is the unquestioned and unquestionable business of the civil servant to strive to carry out that policy with precisely the same goodwill whether he agrees with it or not. That is axiomatic and will never be in dispute. At the same time, it is the traditional duty of civil servants, while decisions are being formulated, to make available to their political chiefs all the information and experience at their disposal, and to do this without fear or favour... The civil servants' function is thus to advice, to warn, to draft memoranda and speeches in which the Government's policy is expressed and explained, to take the consequential decisions which flow from a decision on policy, to draw attention to difficulties which are arising or are likely to arise through the execution of policy, and generally to see that the process of governance is carried on in conformity with the policy laid down.

If the Ministers and the civil servants base their relationship on the above-cited principles and show maturity and balance in their acts and also mutual respect for each other's role, the parliamentary system of government can function in the best interest of the public

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and combine in itself the benefits of democratic accountability and those of professional efficiency. But the evolution of this type of relationship demands a deep-rooted respect for norms not only on the part of both Ministers and Civil Servants but also by the society as a whole. In England, this respect, by and large, exists. It has, in fact, become a part of the social and intellectual sub-consciousness of the nation. Certain things, written or unwritten, are just not done. In India, this has not happened. After early years, healthy norms have been forsaken one by one, particularly at the state and local levels, where power at all costs seems to have become the motto of the political leaders. The officers have either been perceived as friendly or hostile. While the former have been pampered, the latter have been subjected to humiliation. The power to transfer officers has been misused to pressurise and tyrannise them. Informed and healthy public opinion on the subject has seldom come into play; wherever it has, it has not been able to assert itself or has been cynically disregarded by the political powers that be.

The general inadequacy of leadership at the political as well as administrative levels, coupled with the inadequacy of public ethics, has led to the rise of coalitions of wrongdoers, which has tended not only to drain off much of the substance from the system of parliamentary governance but also to render practically all the institutions of the State weak and venal, thereby showing that in the ultimate analysis it is the man behind the steering wheel that matters, and even the best of steering wheels in faulty hands would take the machine in the wrong direction. Unfortunately, little thought has been given to the problem of putting steady, sound and clean hands behind the steering wheels of the governance machinery by strengthening the moral and professional fibre of political and administrative leadership. Consequently, the movement of the machine has continued in the wrong direction, despite much shouting and wailing from the sidelines. The institutional decay and its acceleration over the years has been its logical outcome.

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Impact of Unskilled Democracy

How an unhealthy and unskilled democracy caused all-round damage, during the period under discussion in this chapter could best be illustrated by inviting attention to a few cases which came to my personal notice while I was holding the office of Governor of Jammu and Kashmir.

The first case pertained to the recruitment of bus drivers to the State Road Transport Corporation in the year 1984-85. In this case the Transport Minister gave a list of 150 persons to the Managing Director of the Corporation and told him to appoint these persons as drivers. When the Managing Director indicated that certain procedures for the selection had to be gone through, he was instructed not to bother about it. And when, after two or thre days, the Managing Director pointed out that a number of persons in the Minister's list did not possess even a driving licence, he was asked to give them licences. "What is your use as Managing Director if you cannot arrange even a few driving licences?" was the comment of the Minister.

To what extent the working of a public undertaking and the process of selection and appointment were impacted by the forces emanating from the womb of an unhealthy democracy could be seen from the fact that even the requirements of public safety, let alone overall public interest, were given a go-by. Such callous disregard of public safety and elementary principles of justice was, to some extent, due to the fact that the elections in Jammu and Kashmir were won by the National Conference,[2] not on the record of honesty in administration, but on emotive slogans and by whipping up parochial, regional and communal feelings.

The low-level of politicisation of the recruitment procedure brought in many other undesirable features. Sometimes only one type of persons got recruited. These persons constituted a

[2]National Conference is a prominent regional political party of Jammu and Kashmir State. It was founded by Sheikh Mohammad Abdullah and dominated the State politics for a number of years. For details, see author's book, *My Frozen Turbulence in Kashmir*.

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homogenous block. They had more or less the same political dispositions and loyalties. A typical example of this phenomenon was the recruitment of hundreds of Class-IV employees in the Sher-e-Kashmir Medical Institute of Sciences which had been financed to the extent of Rs. 62 crore by the Planning Commission through the Central Government. A single telephone call from 'Mujahid Manzil', the headquarters of the National Conference, could assemble all these employees for demonstrations anywhere. They could use the buses of the Institute. When Mrs. Indira Gandhi went to Srinagar in 1983, almost all these employees were despatched to the airport to show black flags to her. Thus, ironically, the Central Government helped, with its own funds, in the creation in Kashmir of instruments which were used against it later with impunity.

The second case related to recruitment of Inspectors and Sub-Inspectors of Police in January-February, 1986. Before the process of the selection commenced, the Director-General of Police got some lists from the Chief Minister and other influential politicians. The candidates whose names were given on these lists had to be formally selected by the Director-General through the selection board set up by him. The partners in the distribution of patronage, however, quarrelled among themselves. The Agriculture Minister raised the issue at the Cabinet meeting. Here is an eyewitness account of what happened:

> The trouble started when the Director-General of Police explained the selection procedure that he had adopted. He said that, in accordance with the Chief Minister's instructions, he had decided to select 70 per cent of the candidates by 'open merit' and 30 per cent on the recommendations of the leaders of the ruling party. The Police Chief also disclosed that, with regard to the selection from Baramulla District, he had consulted two leaders of the ruling party, who were close confidants of the Chief Minister. This provoked the Agriculture Minister who also came from Baramulla area. He taunted that the two 'close confidants' were not the only leaders from

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Baramulla. He, too, represented the same District. An infuriated Chief Minister interjected to say that the two leaders in question had fought for him and he could not forget their sacrifices. The Agriculture Minister remarked that he, too, had sacrificed a lot. This further annoyed the Chief Minister. 'What sacrifices you been made? You are a thief. You have swallowed Rs. 6 lakhs. Give me account of that money.' The Agriculture Minister shot back: 'You are a bigger thief. You have swallowed Rs. 28 lakhs. You should first render account of this amount. Government is not your fiefdom. You have recruited all your relations against important posts.' The Agriculture Minister shouted back, 'This is neither your personal property nor your family 'jagir'. Who are you to ask me to get out?' The Chief Minister started rolling his sleeves and menacingly advanced towards the Agriculture Minister.

Quite a few diseased contours of the unhealthy democracy should be clear from this case. It shows how nepotism and jobbery were being brought into the system, how future custodians of the law and order were being recruited, how the services of senior civil servants were being woven into a corrupt network and how some of them were willing to play a collusive role. Such a state of affairs in public services was unthinkable either under the British rule or in the early period of independent India.

The disposition of the officers to do improper things at the bidding of the Ministers and other political authorities were noted as early as in the mid nineteen-sixties. The Justice Ayyangar Commission which was set up in January, 1965, to inquire into the allegations of corruption against the then Prime Minister of Jammu and Kashmir, Bakshi Ghulam Mohammad, had, in its report, observed:

> The most saddening and depressing of the materials placed before me were the affidavits of the officials who confessed to have knowingly done improper acts extending even to tampering with official records to the prejudice of the State and the State property and monies in carrying out the desire

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or orders of Bakshi Ghulam Mohammad to benefit him or his relations.

Over the years the number of officers who were willing to become partners in the predatory activities of the politicians began to increase. By design or by default, they allowed themselves to be exploited by the politicians. Quite a few of them even became active collaborators. In securing their consent or collaboration, the instrumentality of transfers was resorted to on a large scale. Robert Wade, on the basis of his study *Canal Irrigation in South India*, has observed:

> The transfer is the politicians' basic weapon of control over the bureaucracy and thus a lever for surplus-extraction from the clients of the bureaucracy. With the transfer weapon, not only can the politicians raise money by direct sale; they can also remove someone who is not being responsive enough to their monetary demands or to their requests for favours to those from whom they get money and electoral support – in particular, the contractors. One is thus led to visualise a special circuit of transactions, in which the bureaucracy acquires the control of funds, then passes a portion to MLAs and Ministers who in turn use the funds for distributing short-term material inducements in exchange for electoral support.

The unhealthy symbiosis which started developing between the politicians and the civil servants deepened. It was an inescapable consequence of a faulty democracy and its faulty ethos. There was hardly any exaggeration in the observation that was made by Wade regarding the conditions then prevailing: "The politicians in power and the civil servants have come to share a mutually beneficial relationship in pursuit of self-interested behaviour."

Grievous Blow to Governance Machinery During Three Periods

The grave damage that was being caused to the governance machinery by the above unhealthy symbiosis, in conjunction with the overall poverty of the character of the people, would become

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clear if we briefly analyse the crucial events of the three periods – the periods shortly before, during and shortly after the Emergency.[3]

In 1971, Mrs. Indira Gandhi won the general elections on the populist wave of *Garibi Hatao*: 'Remove Poverty'. Soon thereafter came the spectacular success of the Bangladesh Operations (1971). She was hailed as the incarnation of goddess Durga by no other person than Atal Behari Vajpayee. Had she an inspired vision of the type that India's true destiny needed, she would have developed a national consensus and undertaken fundamental social, economic, political and cultural reforms. But that was not to be. On the other hand, by 1972-73, the basic infirmities of the Indian polity and administration began to manifest themselves in ever-increasing shadows of depressing events.

Period Shortly Before Emergency

In an article titled *A Hopeless Situation*, published in August 1972, in the 'Radical Humanist', Jayaprakash Narayan noted:

> Paradoxical though it may sound, the Congress, despite its massive electoral victories of 1971 and 1972, is today little more than a hollow shell. It has no inner strength and substance and is presently kept going on huge doses of funds and charisma of its leader.

About a year later, in another article, he argued that the permissible limits within which politics must operate, at any rate in a democratic country, had already been left behind: "If there is dishonesty, corruption, manipulation of the masses, naked struggle for personal power and personal gain, there can be no socialism, no welfarism, no government, no public order, no justice, no freedom, no national unity – in short, no nation."

The conditions were daily deteriorating. Prices were increasing at an alarming rate. In 1973, price level rose by 23 per cent; by the middle of 1974, it increased to about 30 per cent. Corruption, nepotism, black-marketing and hoarding of essential commodities

[3]The Emergency lasted from June 26, 1975 to January 18, 1977.

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were also galloping. Urban indiscipline was touching new heights. The land and building mafia, in league with local politicians, were violating the municipal bye-laws with impunity, brutalising the landscape, debasing environment, and creating intractable problems for the future. The Fourth Five-Year Plan was a failure. The subsequent three years of Plan holiday proved equally barren. Compounded by the drought of 1972-73, foodgrain output declined by about 8 per cent. The external events, too, had their adverse fall-out.[4]

On the advice of the political leaders who had little understanding of the ground level realities, Mrs. Indira Gandhi decided to nationalise the wholesale trade in wheat. The governance machinery could not cope with the problems involved, and the measure was hastily withdrawn. The fiasco compounded the confusion! It showed the government in poor light, and further undermined its prestige. Adding fuel to the fire, the All-India Railwaymen's Federation organised a country-wide strike on May 8, 1974. The strike was frustrated by the government, but it left its own trail of turmoil and turbulence.

Railway Strike 1974.

On another plane, the Nav Nirman Samiti, an organisation of students of Gujarat, launched a virulent agitation against what the Samiti called a thoroughly corrupt government of Chief Minister Chimanbhai Patel. It brought down the government. In the second phase of the agitation,[5] it secured dissolution of the Assembly. Emboldened by the success of Gujarat's Nav Nirman Samiti, the Bihar Students, with the blessings of Jayaprakash Narayan, started an agitation in Bihar. Similar students' agitations cropped up in other states, and the country witnessed a spate of the 'bandhs', 'gheraos' and 'dharnas'. In the atmosphere vitiated by violence, Railway Minister L.N. Mishra was assassinated, and a bomb was thrown at Chief Justice A.N. Ray.

[4]The oil import bill suddenly increased by about a billion dollars consequent to raising of prices by OPEC.

[5]In this agitation, 95 pesons lost their lives and 933 were injured. In the first phase, 85 persons had been killed.

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Things were really falling apart! At this juncture, Jayaprakash Narayan gave a call for 'total revolution'[6] – a revolution which would bring about a fundamental change in the social, economic, political, cultural, ideological, education and moral life of the people. The ideology of total revolution was, undoubtedly, a noble one, and Jayaprakash Narayan had been thinking over it for a long time, but the call for it came at a time – mid August 1974 – when it could be misinterpreted as confrontationist and disruptive.

To the tense environment then prevailing, the spark for the crisis was provided on June 12, 1974, by the Allahabad High Court judgment which, taking a highly narrow view[7] of two technical lapses on the part of a few officials, set aside Indira Gandhi's 1971 election to the Lok Sabha and declared her ineligible to hold any elective office for six years. The single Vacation Judge of the Supreme Court was no less restrictive in his views, and granted her only a conditional stay. On Indira Gandhi's refusal to resign, massive protest rallies were organised, and an impassioned call was given to the nation on June 25, 1975, from Delhi's Ram Lila ground by Jayaprakash Narayan to commence an All-India agitation to bring down the government. The Army, the Police and other officials were asked not to obey any illegal order. The following day, early morning, Emergency was declared!

What does the above chain of events of about three years before the Emergency reveal? It clearly shows the fatal flaws of the governance machinery – no constructive and imaginative leadership to prevent a crisis, no ability to rise above the short-term gains, no hesitation to disregard true norms of democracy, and resort to extra-

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[6]The term 'total revolution' was first used by Karl Marx in his book *The Poverty of Philosophy*. The ideology was implicit in the works of Gandhi and Vinoba who wanted a basic change in the ethos of individuals and society.

[7]The judgment went against Indira Gandhi on petty technical points. Commenting upon the issue, the Baltimore Sun, a leading US daily, observed: 'In America, such transgression might cost some civil servants their jobs, but would never threaten the tenure of even the lowest candidate of elected office'. In the same strain, James Cameron, a noted political analyst of the time, remarked, 'It is as though a head of government should go to the block for a parking ticket.'

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constitutional means and no inclination on the part of judiciary to be dynamic in its interpretation of the law and go by the intrinsic merit of the case rather than by its technicality.

Period of Emergency

The Emergency was a tragedy! Its imposition led to a large number of unjustified arrests[8] and caused many other aberrations. All that is well-known and need not be repeated here. Even otherwise, it is not germane to the main issue with which I am concerned here, namely, the health of our governance machinery and its main actors – the political leaders, the bureaucrats, the judges, the pressmen etc. Practically, all of them caved in meekly.

Here, however, a few words need to be said about Sanjay Gandhi who is a much misunderstood figure of Indian history. He had his faults – quite a number of them. But he was certainly not the devil he has been usually painted as. He has, in fact, been far more sinned against than sinning. He did not know the art, in which our politicians are generally adept, to hide his feelings. He was impatient and quick to call a spade a spade and that too, rather loudly. He, however, learnt his lessons fast, particularly in adversity. The Sanjay of January 1980 was very different from the Sanjay of 1975.

In India, coining of allegations, or levelling false charges, or making hearsay evidence seem genuine is a flourishing industry, the poisonous fallouts from which have damaged many a reputation. Sanjay Gandhi was, perhaps, one of the worst victims of this contaminating industry. A number of false stories were woven

[8] The persons detained during the emergency under Maintenance of Internal Security Act (MISA) fell in the four categories (i) members of political parties; (ii) members of banned organisations; (iii) habitual criminals; and (iv) economic offenders, such as smugglers and black-marketeers. The total number of persons belonging to political parties and banned organisations, that is category (i) and category (ii), detailed under MISA during the Emergency was 13,000. To inflate the figures of detenus, quite a few critics of Mrs. Indira Gandhi include even those who were arrested on charges of habitual smuggling, black-marketeering and serious criminal offences. For instance, in UP where the maximum number of persons were detained under MISA, 80 per cent of the detenus were hardened criminals, bootleggers and smugglers.

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around his name. The notorious Turkman Gate Ranjit Hotel story, which received very wide publicity, was one of them. The story was a complete fabrication. A Metropolitan Criminal Court in Delhi held it to be so. The court was so incensed by the outrageous fabrication that it awarded three months' imprisonment to the reporter of the national daily who first wrote the story. The worst part of fabrication was, however, not that the reporter was trapped into writing it by the vested interests but that many 'eminent' journalists and 'noted' columnists wrote the same story in their books on the Emergency, with a slightly different wording, as if they were themselves eye-witnesses to it. Similar was the position with regard to so-called bulldozing of slums/*jhuggis-jhompris*. The truth is exactly the opposite of what has been propagated and written. The slum dwellers expressed their gratitude for being resettled in well-planned resettlement colonies. In the elections, held in mid-1977 for the Municipal Corporation and Delhi Metropolitan Council, when everywhere votes were cast against Indira Gandhi's party, these resettlers voted overwhelming in its favour. The records of the Election Office would prove this assertion to the hilt. Men may lie, documents do not.

After being subjected to calumny for centuries, Oliver Cromwell had a biographer in the person of John Buchan who culled out the truth from underneath the mountain-heaps of lies and half-truths. Though on a much smaller scale, Sanjay Gandhi requires an objective and insightful biographer to draw a true portrait of his personality with all his black and bright spots clearly etched out. This is necessary to restore the historical balance.

Was it Mrs. Indira Gandhi or her son, Sanjay Gandhi or her few advisors who alone were responsible for the imposition of Emergency and what happened during it? What about the judges[9] who despite their high status, not only held that the declaration of Emergency was valid but also refused to safeguard even elementary

[9]S.P. Sathe, in his book, *Constitutional Amendments*, has remarked:
Many crimes committed during the Emergency seemed to be a natural consequence of total self-negation by the judiciary. Justice H.R. Khanna, in his minority judgment,

(Contd.)

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liberties, the denial of which would reduce the individual citizen to a 'state of utter rightlessness'? What about the pressmen who, as L.K. Advani[10] put it, started crawling when they were asked only to bend? What about both the Houses of Parliament which endorsed the Emergency by an overwhelming majority – 336 to 39 in Lok Sabha and 136 to 33 in Rajya Sabha? What about those who adopted an excessively agitational approach to attain Jayaprakash Narayan's nobly conceived ideal of Total Revolution but started wrecking, as Chaudhry Charan Singh[11] did, the new government from inside to realise personal ambitions? And what about the people themselves, who just 'melted away' as soon as the Emergency was declared? Noting the absence of the 'angry voices', the 'Guardian', London observed: "India's State of Emergency is almost three months old now, and rapidly becoming the Mystery of the Missing Opposition."

Clearly, there was something basically wrong with the moral fibre of the nation. It had too many irons in its soul and too much infection in its blood stream. The maladies which these 'irons' and these 'infections' caused were common to all the categories and classes of persons and the institutions of the State and Society, be it Executive, Parliament, Judiciary or Press.[12]

[9 contd.] as summarised in Granville Austin's book, 'Working of Democratic Constitution' had argued "Article 21 cannot be considered to be the sole repository of the right to life and personal liberty; rights created by statutes being not fundamental rights can be enforced during the period of Emergency despite the Presidential order; Article 226 of the Constitution (empowering High Courts to issue writs) is an integral part of the Constitution, and this power cannot be bypassed by the Presidential order in question; and there is no antithesis between the power to detain a person under preventive detention and the power of the court to examine the legality of detention.

[10]Shortly after formation of the Janata Government, L.K. Advani, Minister of Information and Broadcasting, remarked to the Press: "When you were asked only to bend, you were willing to crawl." – from *The People Betrayed.*

[11]L.K. Advani, in his book, *The People Betrayed*, gives a detailed account of what Chaudhry Charan Singh did to his ambition.

[12]In this connection, Chapter XII, titled 'Freeing the Long Suppressed Soul of India' may also be seen.

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Period Shortly After Emergency

That is why even after the end of the Emergency and ouster of Indira Gandhi from power, the fundamental maladies continued; they merely assumed a different form, colour and direction. The post-Emergency period saw its own type of excesses, its own type of atmosphere of fear and intimidation and its own type of infirmities in our polity, administration and character of the people.

There was a spate of Inquiry Commissions and Committees – as many as 52. These agencies were set up with the main objective of painting everything that happened during the Emergency as black and put the blame on Indira Gandhi, Sanjay Gandhi and the handful of supporters that they were left with. The officers and erstwhile political colleagues of the Gandhis were subjected to subtle pressure and made to say before these Commissions and Committees that whatever wrong they did was done at the behest of Indira Gandhi, Sanjay Gandhi and their coterie, no matter what the written records indicated. Most of them, in fact, were themselves inclined to follow the dictum: 'Let us lay all the evils on the Friar and rid ourselves of them all'.

The depth to which the overall character of the nation and its value-system had gone down, over the years, could be gauged by the manner in which the Shah Commission functioned.[13] The atmosphere in which its proceedings were held reminded one of the medieval Britain when the judges derived malicious pleasure in harrassing the accused and also of the days of Macarthyism in USA (1950-54) when anti-communist hysteria was whipped up, and distortion and intimidation were practised on a large scale through modern propaganda techniques.

Partisan case summaries were prepared by the Commission's staff by doctoring documents and isolating facts from their context.

[13]Justice J.C. Shah was a retired Judge of the Supreme Court. His bias against Indira Gandhi was known. And yet, on May 28, 1977, he was appointed as a single-man Commission to inquire into 'subversion of lawful processes and well-established conventions, administrative procedures and practices, abuse of authority, misuse of powers, excess and/or malpractices committed during the Emergency.'

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These summaries were highlighted on television, radio and in the press. Yet they were given to the persons concerned only at the time of commencement of the proceedings. The intention was to surprise, confuse and pressurise witnesses and extract incriminating material. In the examination of witnesses, a pre-designed pattern was followed. Those who said anything to denigrate the Emergency-administration were encouraged, humoured, and even applauded. These obliging witnesses were not stopped by the Commission even when their statements clearly contradicted the written records. On the other hand, those who tried to defend their actions were jeered, taunted, insulted, and even asked to shut up.

The manner in which the erstwhile Ministers and Civil Servants were induced to make totally false statements would be clear from an example. After approving and answering a number of questions in Parliament on clearances of squatters from haphazard clusters and their resettlement in new colonies, after presiding over the meetings of the Parliamentary Consultative Committee in which the issue was repeatedly discussed, after visiting the resettlement colonies, and after getting the squatter settlement, in the rear of his own bungalow, cleared, K. Raghuramaiah, the erstwhile Minister of Works, Housing and Parliamentary Affairs, told the Shah Commission, in reply to its questions, that he was hearing for the first time about the slum and squatter clearance and resettlement programme. Instead of confronting Raghuramaiah with the written records, the Shah Commission gleefully accepted his deposition.

My own case provides another example of the Shah Commission's shockingly unjust approach to the matter. I was appointed as Vice-Chairman[14] of Delhi Development Authority in January 1971. Earlier, I had worked as Commissioner for Implementation of Delhi Master Plan and given the Padma Shri Award by the President of India for what the citation of the said award described as a

[14]Being an officer primarily concerned with the planning and development of Delhi, I had nothing to do with the imposition of Emergency. In fact, at that time, I was in Australia in connection with a Cultural award given to me by the Australian Government. Nor had I been given any new assignment during the Emergency.

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'significant contribution to the formulation and implementation of Delhi Master Plan and for playing a pioneering role in planning and implementation of projects'. Thus, my commitment to the concept of planned development of Delhi was nationally known and recognised. I had a passionate urge to make our Capital as one of the cleanest and most well-organised and disciplined cities in the world. I was dead against encroachments and illegal construction on public lands, a phenomenon which was encouraged by selfish politicians to create vote-banks in their constituencies.

Much before the Emergency, while functioning as Commissioner and Vice-Chairman, Delhi Development Authority, I had been clearing encroachments and resettling squatters in resettlement colonies. This was in accordance with a scheme which had been approved by the Central Government and Parliament and was an adjunct of the Delhi Master Plan. The highly applauded clearance projects of Nigambodh Ghat, Purana Quila, the New Delhi Railway Station and Kotla Ferozshah were executed, in accordance with the said scheme, in the pre-Emergency days. Similar projects of clearance-cum-resettlement, following exactly the same procedure as earlier ones, were carried out during the Emergency. The only new factor that emerged during the period was that the political elements and vested interests of racketeers were kept at bay. What was bulldozed were not the slums but their politics, not the 'jhuggi-jhompris' but the physical and mental diseases that they reared. All the schemes were undertaken in public interest and numerous green areas, flyovers, roads and many other institutions and public utility buildings were developed and constructed on the vacated lands. I had done nothing wrong. Nor was I ever asked by Indira Gandhi or Sanjay Gandhi to do anything that had no precedent.

To expose the false propaganda, therefore, I prepared a comprehensive statement and submitted the same to the Shah Commission at the very first opportunity. During the course of the proceedings, I wanted to read my statement. But Justice Shah would not allow it, having found that the said statement would tear the false picture desired to be painted. As would be evident

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from the tapes of the proceedings, every time I said I would like to read my statement, Justice J.C. Shah would say, "We would do so later". When on the subsequent days I repeated my request, he would say: "I have given the statement to my officers. They will mark some portions. Then we would have the statement read out."

Justice J.C. Shah went on speaking like this till the proceedings ended. Noticing the highly tendentious reports in the Press and on television, I published the facts contained in the aforesaid written statements and oral submissions in my book, titled *Island of Truth*. This book was filed as an affidavit by me in the special court of Justice M.L. Jain and no one dared to file even a counter-affidavit – bearing testimony of the solid and unalloyed truth it contained. The 'findings' of the Shah Commission were based on concocted evidence, and also on intentional suppression of most material and significant facts. Scores of concrete examples were cited by me in the affidavit.

My only 'fault' during the post-Emergency period was that I happened to occupy a particular post at a particular time, and was not prepared to step out of my Island of Truth and pose like a traitor and self-condemned criminal, throw mud on others and hypocritically condemn a programme and policy which had been formulated with the concurrence of the Union Government and Parliament and the implementation of which was totally in public interest. Slum Clearances –

Subtle hints were given to me that I should become a sort of 'approver' and pass on the 'blame' to others. I marvelled at the lack of morality and ignorance of the persons who made such suggestions. Was clearance of some of the most inhuman slums or allotment of 1,000 hectares of developed land with a market value of about Rs. 2,000 crores, or disbursement of about Rs. 9 crores of loan at only four per cent rate of interest, or the creation of stable and development-oriented avenues of employment, preservation of historical legacy, or general upgradation of the environment of the city an 'excess' for which one should feel ashamed?

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The resettlers gratefully acknowledged what was done for them. In the elections to the Delhi Metropolitan Council and Municipal Corporation, held soon after the General Elections of March 1977, these resettlers, as would be evident from election office documents, voted overwhelmingly for Indira Gandhi's party. Does it stand to reason that they would do so if they had been bulldozed as was made out? At that time, Indira Gandhi's party lost in almost all the constituencies except those that covered the re-settlement colonies.

The unassailable documentary evidence available in the offices of the Election Commission, Delhi Metropolitan Council and Municipal Corporation, pertaining to mid-1977, shows, in a striking manner, how superficially certain aspects of India's contemporary history are being written; how the art of oral concoctions is being perfected; and how, in a country whose national motto is *Satyameva Jayate* (Truth Alone Triumphs) maximum distortions are being resorted to.

Leaving aside the cases of imprisonment under MISA, the excesses committed by the Shah Commission were, in a sense, no less serious than those committed during the Emergency. These excesses stood thoroughly exposed by the judgment of the Delhi High Court, delivered on December 19, 1979, by Justice T.P.S. Chawla. A few examples extracted from this judgment would prove this assertion.

In regard to the transcripts of the tapes, the High Court points out: "The transcripts have, of course, been signed by the Chairman, Shri J.C. Shah; but their accuracy leaves much to be desired." In respect of Article 352, the High Court says: "The Shah Commission is aware of the amendment of article 352, but slurs over it." About the participation of the Government counsel, Shri P.N. Lekhi, the High Court observes: "The statement of the Chairman that he has 'not allowed counsel for the Union to participate in the proceedings' does not concord with his description of what has been happening. ... Every time J.C. Shah expounds the two stage theory, it breaks down in the process of the statement. The confusion is more than I can unravel.... In my opinion, J.C. Shah acted in violation of the

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Constitution... If I may adapt the phrase used by Mr. Justice Douglas, by doing so the Commission, abused its authority."

The basic questions which Justice Chawla's judgment raises are: Who violated the Constitution? Who created an environment of deception and distortion? Who abused authority? And who was the prisoner of inner compulsion?

In many respects, the Shah Commission reversed the order of things. For instance, in regard to the clearance-cum-resettlement schemes in Delhi, the Commission picked up the wrong end of the stick, and confused development with destruction, justice with technicality, dynamism with ruthlessness and humanism with brutality.

The moral aspect of the matter was also perverted. Those who violated every conceivable provision of law – the Master Plan, the Municipal Act, and Bye-laws, Land Reforms Act, zoning regulations – and sought to derive huge pecuniary benefits by constructing, without even caring to submit building plans, on areas earmarked for roads, bridges, schools, parks, and other community facilities, were flaunted as heroes and the victims of excesses, while those who stood against heavy odds, tried to save the Capital from becoming a veritable slum, a death trap for the future generation, a symbol of national degradation and shame, were described as villains and 'emergency offenders' and were laughed and jeered at.

Apart from the mutilation of history and truth, the basic question that arises out of the analysis of the events, occurring in the pre-Emergency period, the Emergency period and post-Emergency period, is : How can there be a good governance in a set-up which has a big crop of politicians, bureaucrats, parliamentarians, judges and pressmen of the type witnessed during the aforesaid three periods. Great nations are built by the people with character and commitment, and not by those who have a convenient conscience and consider discretion to be the better part of valour.

Governance in India, over the years, had been weakening, particularly after the 1967 Elections when a number of States came to be controlled by the unstable coalition governments and the

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Centre by the minority government of Indira Gandhi. But the most damaging blow, both structural and moral, was struck during the aforesaid three periods. In the first period, that is, the three years' period preceding the Emergency, indiscipline and virulent agitations crossed all limits. Militant organisations of students and labour unions, which specialised in the art of brow-beating the senior officers and other persons in authority, caused havoc. During the Emergency, there was a remarkable improvement in discipline[15] and output of governance machinery but its moral fibre was torn to pieces when thousands of arrest-warrants were signed by even senior IAS officers, knowing fully well that they were doing so on fabricated evidence. In the three years, post-Emergency period, whatever little prestige or discipline or moral streak still remained, was destroyed by putting junior officers as witnesses against the senior officers and encouraging the former to say what was palpably false and contrary to record. Even a reputed officer, B.B. Vohra, holding the post of Secretary to the Government of India, was arrested in his office by a junior police officer on a flimsy suspicion of writing a partisan note on the file.

What is no less unfortunate is that when the two Janata governments, one led by Morarji Desai and the other by Charan Singh, collapsed and the Congress government, headed by a triumphant Indira Gandhi, returned to power in January 1980 with a massive majority,[16] little was done to make a positive use of this popularity and lift the ethos of the country's politics to a higher moral plane. The governance machinery, undoubtedly, recovered[17]

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[15]A rare phenomenon in India, discipline began to be observed in offices, factories and on the roads. Runaway inflation came under control. Black marketing and hoarding were substantially reduced. The implementation of land ceiling laws acquired some teeth. All this reflected poorly on the nature of democracy that the nation was normally nursing – rearing indiscipline, indifference to duty and violation of laws. Noting gross indiscipline during the post-Emergency period, Morarji Desai himself bemoaned, 'Do our people behave properly only under emergency!'

[16]The Congress party won 353 seats out of 529.

[17]During the Janata Rule, governance touched a very low level. In the Capital itself, in the year 1978, there were three cases of kidnapping every two days.

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Politics of expediency.
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some of its pre-1972 poise, dignity and effectiveness, but the gains in this sphere were practically lost on account of the continued politics of expediency. For narrow ends of power, principles and just and strong governance were cynically disregarded, particularly with regard to Punjab. Even fanatic and fundamentalist elements were appeased and unabashedly terrorist acts like the murders of Baba Gurbachan Singh, head of the Nirankari sect, in April 1980, of Lala Jagat Narain, proprietor of the Hind Samachar Group of newspapers, in 1982, and of A.S. Atwal, D.I.G. Amritsar, in April 1983, were not allowed to be investigated on merit. No attempt was made to check misuse of religious places, including the holiest of the Sikh shrines, the Golden Temple at Amritsar. The politics of appeasement and procrastination, coupled with poor governance, led to a situation when gruesome acts of terrorism became a daily affair and Indira Gandhi was driven to order the flushing out of militants from the Golden Temple. The consequences of the Operation Blue Star,[18] as it was code-named, were disastrous. Its tragic fallout resulted in Indira Gandhi's assassination by her own security guards on 31st October, 1984. But the tragic events did not end here. The assassination was followed by widespread anti-Sikh riots the reverberations of which are still being heard. It is

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17 contd. For the first time, border clashes between the two states of the Union occurred. In an attack on the Assam border on January 5-6, 1979, by persons from Nagaland, 48 Assamese were killed. In the academic year 1978, 56 out of 106 universities remained closed. The number of man-days lost due to strikes and lock-outs increased from 5.6 million in the first half of 1976 to 8.5million in the corresponding year of 1977 and to 12.7million in the same period of 1978.

The partial recovery of the governance machinery after 1980 could be seen by the spectacular success with which the Asian Games (1982), Non-Aligned Summit (1983) and CHOGM (1983) were organised. Every cog of the huge machine worked smoothly and speedily, enhancing the image of the county in the world. Delhi never looked so beautiful before or thereafter, confirming once again that if both the political head and the bureaucratic worked in unison, honestly and dispassionately, great and glorious results could be achieved.

18 This operation shows Indian governance machinery of the time at its worst. The operation was badly planned and badly executed. Clearly, it was based on inadequate intelligence. Several of its adverse consequences were not anticipated.

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suspected that there was calculated inaction on the part of the authorities for about three days during which in Delhi alone over 2,000 Sikhs were killed and about 50,000 uprooted from their homes.

Nothing, however, was learnt from these horrible events. The mindscape of the politicians remains unaltered. The vote-bank politics,[19] in one form or the other, continued. It helped the militants, albeit indirectly, to regroup themselves and intensify their terrorism related activities. It took nine more years to stamp out terrorism from Punjab – after 40,000 lives had been lost.

Both in Punjab and Kashmir,[20] the root cause of terrorism lay in the impact of an unskilled, unprincipled and visionless democracy on an administrative machinery which was no less permissive, superficial and self-centred in its approach. *Neither the politicians nor the bureaucrats were aware of even the elementary lesson of history: to compromise with evil is only to rear greater evil; to ignore the inconvenient reality is only to compound it, to bow before the bully is only to invite the butcher the next day.*

It needs to be clearly understood that politics and administration cannot be kept separate in watertight compartments; in fact, they are integrated items of the same framework. They breathe the same air, practise the same values, and grow in the same national ethos. In any case, no administration functions in a spiritual or ideological

[19]It was vote-bank politics that was responsible for Rajiv-Longowal Accord (July 24, 1985) the immediate fall-out of which was the assassination of Sant Harchand Singh Longowal on August 20 and coming into being of the Akali Ministry headed by S.S. Barnala on Semptember 29, consequent to the elections held on September 25. Besides power struggle within the Akali Party, the misplaced gesture of reconciliation by releasing 2000 militants enmasse by the Barnala Ministry, enabled the terrorists to reorganize themselves and even stage a come-back to the Golden Temple. By 1988, the terrorists were killing about 160 persons per month. It was only after the political head, Beant Singh, Chief Minister, and bureaucratic head, K.P.S. Gill, D.G. Police, launched a determined and coordinated campaign that terrorism was eliminated from Punjab.

[20]For details with regard to Kashmir, see my book, *My Frozen Turbulence in Kashmir*. Three chapters dealing with the roots of the problem may be consulted.

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vacuum. It is deeply influenced by political culture. If this culture is unhealthy, the administrative system is bound to be deformed. An infected administrative set-up, in turn, renders the political culture still more unhealthy. One adds to the infirmities of the other.

The infirmities of the two principal actors of governance – the politician and the civil servant – continued to reinforce each other during the subsequent regimes of Rajiv Gandhi and V.P. Singh. The former, having won a massive majority – 415 seats out of a total of 525 – in the Lok Sabha elections, riding on the sympathy wave in the aftermath of Indira Gandhi's tragic assassination, made a promising start. "It is a great privilege to be born in India and to be heir to its great civilization. We have so much to secure for our own people and so much to give to the world. You have given my party and me your confidence in overflowing measures. Who can ask for more?"[21] He raised high hopes for providing a clean, effective and modern governance.[22] He looked confident, practical and dynamic, and took some good steps towards economic liberalisation and toning up of the administration. But, on the whole, all this turned out to be a false dawn. He soon entangled himself in scandalous controversies like Bofors, Fairfax, HDW Submarine, etc. To divert public attention from these scandals, he took certain action with regard to Punjab, Kashmir and Sri Lanka. These proved counter-productive, and caused further disillusionment amongst the people. His strained relations with Giani Zail Singh, President of India, and, with some of his erstwhile close friends and confidants like Arun Nehru, and also his other abrasive acts like public dismissal of A.P. Venkateswaran, Foreign Secretary, made him still

[21]This is what Rajiv Gandhi said in his broadcast to the nation after the elections (January 1985), giving the impression to the people that they would now see a new era in Indian polity.

[22]In the beginning of his regime, Rajiv Gandhi showed special concern for administrative reforms. He appointed a separate Minister of State for the Ministry of Administrative Reforms. Emphasis was laid on modernisation of the administrative machinery and also on better training of officers. People even started talking about Rajiv Perestroika. But the enthusiasm was short-lived and soon petered out.

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more unpopular. Not unexpectedly, his party lost the Lok Sabha Elections of 1989 and went out of office, leaving the governance machinery as poor as he found it.

The Rajiv government was followed by the minority government of the National Front, led by V.P. Singh. It lasted for only eleven months. Its marked feature was what has been called 'Mandalisation' of the Indian Polity. 27 per cent of the jobs in the Central Government and its Undertakings were to be reserved for the socially and educationally backward classes. Whatever be the merits or demerits of the decision of the V.P. Singh government, from the point of view of social justice, it rendered the problems of governance still more complex. Its immediate fallouts were the violent agitations that caused the collapse of the government. The successor government of Chandra Sekhar, too, fell after four months.

In the meanwhile, the unhealthy relationship between politicians and civil servants continued to get worse. It was not unoften that one read in the press, news of such mind-boggling scams and scandals as Bofors, Fairfax and Submarine deals, wherein scores of senior officers allowed themselves to become willing, sometimes conspiratorial, tools in the hands of politicians. For example, the wrongdoings in the Bofors case could not have happened but for the helping hands which senior civil servants were willing to extend for direct or indirect consideration. Prashant Bhushan, in his book,[23] has a significant observation to make in this regard:

> Bhatnagar went out of the way first to help award the contract to Bofors and later to cover up the truth. It is inconceivable that from his position, Bhatnagar was unaware of the corrupt nature of the deal. Why did Bhatnagar do it and what did he get out of it? The tragedy of contemporary India is that petty lure of promotions and authority have degraded a large number of our civil servants and rendered them servile instruments of their political masters.

Bofors Case.

[23] Prashant Bhushan: *Bofors : The Selling of a Nation*, p.233.

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Slack: Mundra Scandal 1957.

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The Bofors case was, in fact, in line with the cases,[24] involving unsavoury transactions at higher political and bureaucratic levels, beginning with Mundra Scandal in 1957. With the further fall in values, the frequency of such cases increased. And so did their dimensions, spreading the rot all around. The institutions were subverted to attain petty political and personal ends and most officers manning these institutions generally acted more like 'pliant slaves' and collaborators than as independent functionaries observing rules, regulations and norms of propriety and justice.

By 1991, a stage had been reached when whatever virtues IAS and other senior cadres once possessed as a class were no longer visible and the officers, by and large, started accepting "a diminished role for themselves and becoming agents of exploitation in a State structure which had lost practically all strands of maturity, morality and propriety".

Clearly, after the early period of freedom, when the quality of leadership was comparatively high and influenced, though to a limited extent, by Gandhian ethics, reverse gear came into play and both the politicians and administrators began their long descent to inefficiency and injustice. They began to compound each other's flaws. As politics became more and more exploitative, arrogant and unscrupulous, the administration grew more and more weak, venal and faction-ridden. A vicious circle set in. This circle has been gaining momentum during both pre-1991 and post-1991 periods and causing rapid increase of corruption[25] in every strand and sinew of public life. The mounting tempo of corruption in the country has been both a cause and effect of poor governance.

[24]These cases included L.N. Mishra and Kosi Project cases (1969); Thimma Reddy's (Andhra Pradesh Revenue Minister) case involving large scale misuse of Tirumala Temple resources; Haryana's discretionary allotment of house-sites case; Madhya Pradesh Churhat Lottery case etc. All such cases are catalogued in M. Halaya's book *Scams in India*.

[25]For details of the expanding network of corruption, see section on corruption in the next chapter.

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Inability to Change and Negativity

For managing large and complex work, no modern government can do without bureaucratic structures which are generally built on rational principles and facilitate accountability and discipline. And yet they are beset with major weaknesses. They tend to cause rigidity, lay too much emphasis on red-tape, undermine creativity, impede initiative, drive out dynamism and deny justice by giving rise to long delays. Accountability, too, is often lost in the mountain of paper-work that they create. They also tend to develop vested interests and over-eat resources of the State and fatten themselves at public expense.

Commenting on the eighteenth century Prussian bureaucracy, Stein wrote[26]:

> We are governed by paid, book-learned, disinterested, property-less bureaucrats. These four words contain the character of our and similar spiritless governmental machines: paid, therefore they strive after maintenance and increase of their numbers and salaries; book-learned, that is, they live in the printed, not the real world; without interests, since they are related to no class of the citizens of any consequence in the State, they are a class by themselves – the clerical caste; property-less, that is, unaffected by any changes in property. It may rain, or the sun may shine, taxes may rise or fall, ancient rights may be violated or left intact, the officials do not care. They receive their salary from the State Treasury and write in quiet corners, in their departments, within specially-built locked doors.

This criticism may be harsh and exaggerated. But it does bring out some of the negative aspects of bureaucratic structures.

Almost all the advanced countries, while retaining the positive features of bureaucratic structure – permanent civil service, regular cadres, reasonable security of tenure, etc. – have been introducing

[26]Stein was a reputed Prussian officer who was chosen by King Frederick William III to undertake reforms of the Prussian bureaucracy in the nineteenth century.

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a number of measures to relieve the system of rigidity and other negative features.[27] They have also been making effective use of the knowledge and skills that have become available consequent to the great technological revolution that the world is presently undergoing. But in India, there has been a marked disposition to talk of reforms but not to take any positive action. Consequently, over the years, the negative aspects of bureaucracy have been gaining ground and positive aspects losing steam and becoming ineffectual.

During the period 1950-1991, the ruling political and administrative elites did not show deeper and sustained interest in the reform and reorganisation of the administrative machinery. Only lip service was paid, and a wide gap kept between what was proclaimed and what was done. During this period, about 600 commissions and committees, dealing with various aspects of administrative reform, or of the administrative machinery as a whole, were set up from time to time by the Central and State governments. Notable among them were: the Girija Shankar Committee, 1947-48; the Gopalaswami Ayyangar Committee, 1949; the Gorawala Committee, 1951-52; the Paul Appleby Committee, 1953; the Administrative Reforms Commission, 1977-1980; the Kothari Committee, 1979; the Satish Chandra Committee, 1979; the Dharam Vira's National Commission for Police, 1978-80; the L.K. Jha Commission for Reform of Economic Administration, 1983; and the Justice Sarkaria Commission for Centre-State Relations, 1987.[28] But the net outcome of all these commissions and committees on either administrative structure or its work-culture was negligible. The few changes that were introduced proved to be nothing more than correction slips which, too, were seldom read and acted upon.

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[27]See chapter, titled: 'Recent Experiences of Other Countries'.

[28]Besides the reports of these Committees and Commissions, there are reports of the Estimates Committee of Parliament on Public Administration. Two of the prominent reports of the period under review are the Ninth Report on Administrative, financial and other reforms, 1958 and Ninety-third report on Public Services, 1966.

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As an example, the case of the Administrative Reforms Commission may be taken up. Its constitution was announced with a great deal of fanfare and as senior a leader as Morarji Desai was appointed its Chairman. It continued its work for about 4½ years and cost the public exchequer about one crore rupees. It had on its establishment 37 task forces, study teams and expert groups. It commissioned about two dozens research studies. It made 581 recommendations. But nothing substantial came out of the Commission's efforts. Most of its recommendations skirted the fundamental issues of restructuring the administrative machinery and infusing it with a new spirit of service. And the recommendations which had some merit in them, such as those pertaining to personnel administration and the road to the top being open to every competent and qualified government servant, were not given the respect that they deserved. They were either rejected by the Government or implemented in such a half-hearted manner that much of their value was lost.

The Commission had made a salutary recommendation that the Government work should be categorised into eight broad areas of specialisation – i) Economic; ii) Industrial; iii) Agricultural and Rural; iv) Social and Educational; v) Personnel; vi) Financial; vii) Defence and Internal Security; and viii) Planning – and for every such area of specialisation, services on functional lines should be organised, and the IAS should also be converted into a functional service. But this recommendation was not acted upon.[29] Similar was the fate of most recommendations made by other Committees and Commissions.

In the meanwhile, new fault-lines emerged and the old ones got widened. A particularly pernicious development that occurred was that every officer who entered service took it as his birthright to advance in his career according to his length of service. Performance took a back seat. This, on the one hand, gravely undermined dynamism, drive and creativity amongst the services; on the other

[29]This was largely due to the powerful pressure-group of the I.A.S. in the higher echelons of government hierarchy both in the Centre and the States.

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it burdened the State with excessive expenditure and a large number of unwanted, and also dissatisfied officers. In U.P., for example, at the end of 1990, there were 29 I.P.S. officers who had been appointed Additional Directors-General of Police though the posts they held had neither work nor the level of responsibility befitting their position. They had been given these assignments because either they did not have merit, or the ruling party had a prejudice or grudge against them.

Another unwholesome feature that emerged on the scene was that the premier cadre – I.A.S. – acquired a new trait – bureaucratic imperialism. While the trend in the progressive countries was to inject new blood and let fresh air blow in the fixed cadres, the tendency amongst the I.A.S. cadre was even to encroach upon the areas which legitimately belonged to the technocrats, educationists and other groups. This, besides promoting unmerited elitism in certain quarters, caused deep resentment among other groups of administration, lowered their morale and confidence and undermined the overall creative and constructive potential of the nation.

The vice of proliferation gripped the I.A.S. and other services and the bureaucracy in general. The authorised strength of the I.A.S. cadre increased from 1232 in 1951 to 5334 in 1990-91. In 1951, there were 25 Secretaries to the Government of India, one Special Secretary, one Additional Secretary, 35 Joint Secretaries and 74 Deputy Secretaries. By the mid nineties, the number of Secretaries had gone up to 115, of the Additional Secretaries to 57, of the Joint Secretaries to 291 and of the Deputy Secretaries to 303. By 1991, the total work force of the Central Government alone had crossed 4 million. The Indian bureaucratic apparatus had become the second largest in the world, next only to China's.

Due to the expanding activities of the State, an increase in the direct employment of Government and also in the large number of public enterprises that were set up was inescapable. But this increase was highly disproportionate to the needs. Political patronage, nepotism and bureaucratic expansionism led to the

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creation of a large number of unnecessary posts, causing a heavy financial burden on the State exchequer, on the one hand, and bringing unsuitable personnel to several key posts, on the other.

To attain higher productivity, it was necessary to ensure that the bureaucracy was kept lean, smart and strong and its performance was viewed with a positive frame of mind. Practically every day, we heard the journalists, intellectuals, politicians and even the senior civil servants denouncing the old-fashioned methods and stressing the needs for a result-oriented administration. But what happened in actual practice? Whenever anyone tried to break the shackles of routine and impart dynamism, he found himself in trouble. One's firmness was described as ruthlessness, commitment as personal ambition, and speed as rashness. And the person was soon shown the way out. On the other hand, those who spent their time in tying red tape over the blue flaps of bludgeoning files have had a smooth sailing.

For example, in Delhi, large tracts of land are owned by various departments and the ministries of Central Government. These lands were under the charge of senior officers of the rank of Joint Secretary or Commissioner, and a sizable staff was engaged for their management. But these lands were allowed to be illegally occupied by shopkeepers, mechanics, wood merchants, ware-houses, etc. Except for pushing papers up and down and holding scores of meetings, no steps were taken for over two decades to retrieve these lands. Consequently, public lands worth crores remained in the hands of racketeers. Cityscape was uglified. Traffic jams and accidents increased, and execution of development projects inordinately delayed. After years of deliberation, the Central Government recognised that the Delhi Development Authority was the only agency that could solve the problem and transferred all these lands to it in 1975. By discarding ineffective methods and taking a courageous stand against vested interests, I solved the problem in about a year. The skyline improved, the traffic hazards were reduced and long-pending development projects were executed.

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What were the results? What happened to those who took their jobs seriously? I, who tried to be result-oriented, and spent long hours in the field under scorching sun, taking quick decisions and settling the cases at the spot, instead of pushing papers in air-conditioned offices, found myself in the dock and was subjected to ridicule on behalf of those who showed nothing but contempt for law and morality. On the other hand, those who considered themselves too refined and sophisticated to soil their hands in the mire of slums, squatters and illegal constructions led an easy and comfortable life.

Our national ethos also tended to make our Parliament and its Committees like Public Accounts Committee and Estimates Committee extra-suspicious. Not unoften, they picked up the wrong end of the stick and lost sight of the operational environment at the field level. Technicality rather than intrinsic merit got precedence. Quite a few senior officers found that post-mortem of their decisions by the Audit and Parliament Committee was based on narrow and technical considerations. Consequently, timidity and indecision increased amongst officers. To avoid or diffuse responsibility, more files were pushed both horizontally and vertically. Paper work increased, and result-orientation suffered a further decline. There was frantic fluttering of wings but no flight.

The occupation of vantage positions in the labour unions by unhealthy elements also contributed a great deal to the growth of inefficiency and indecisiveness in public offices. Few officers were inclined to take decisions which did not find favour with the 'caucus' of the unions. These caucuses seldom remained within the four corners of the labour laws and caused substantial damage to the personal standing and reputation of officers. They usually found powerful support from the senior levels of political parties. In the end, it was usually the decisive officers who had to retreat, learning in the process advantages of following the line of least resistance and not taking inconvenient decisions. I have seen a number of decisive and dynamic officers soon turning into masters in the art of shelving files and prolonging issues.

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While, on the one hand, the standard of a good many public servants in India began to approximate that of medieval bureaucracy, on the other, those who stuck to higher norms of efficiency, integrity and discipline largely found themselves helpless in the face of a parallel relationship that developed outside the official hierarchy between their subordinates and political elements in the power structure. If a well-meaning senior officer attempted to take action against the inefficient, corrupt or delinquent subordinate officials, they, more often than not, got into trouble themselves. The political or the influential supporter of the subordinates engineered false complaints and put the senior officer on the defensive. In fact, this parallel relationship assumed such an unhealthy character that the subordinates were often found bullying the seniors, securing their transfers and even getting them humiliated through CBI raids. In the circumstances, the few good elements that remained in the public services could not stem the rot that had set in. Some of them, too, soon saw wisdom in swimming with the current or at least stop attempting to fight the malady.

It was not only the delinquent elements in politics and administration that were at fault. The general public had to share a good part of the blame. It seldom came out, in a meaningful way, in support of the upright, dedicated and dynamic officers who not only set themselves up against the negative forces in politics and administration but also attempted to deliver solid and speedy services to the people at the ground level. On the other hand, the public, on account of its indifference or superficial interest in matters involving such officers, was usually taken in by the manipulated versions of vested interest, and thus added to their cynicism and frustration.

Charles Goodshell, in his book, *The Case of Bureaucracy*, has remarked:

> To make the case for bureaucracy. What a ridiculous idea! The author must be just plan mad. Only the devil himself would make a case for evil. Only a lunatic would come to its rescue.

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This remark could not be wholly inappropriate for the Indian bureaucracy that came into being by 1991. By that time, it had become so heavy and developed so many negative features that bashing it even for faults that were not of its making, could not be objected to.

Absence of an Inspired Ideology and Philosophy of Work

What was needed most by post-1947 India was a new philosophy of administration, a new dedication and dynamism, a new courage and commitment, to serve the country and rid her of her chronic ailment of poverty and under-development and also to remove the social and cultural garbage that had accumulated around her over the years. It was a stupendous task and only a highly motivated and inspired administrative machinery, and not a soulless structure, however competently conceived, could tackle it successfully.

Unfortunately, notwithstanding the cultural renaissance witnessed in the late nineteenth century and the early twentieth century and the fervour generated by the movement for independence and injection of Gandhian ethics in the social and political environment, India, at the most crucial turning point in her history, failed to acquire great inspiration and produce a Great Helmsman who could create a consistent and coherent ideology for building a new India and constructing new institutions and reconstructing old ones on the motivation of that ideology. Some of the leaders were, undoubtedly, great but they could not reach the height of greatness that was needed. Their vision was not that expansive and the power of their minds not so penetrating as to see clearly the poisonous currents that flowed beneath the surface and take effective measures to purify them. They gave the nation a modern constitution and modern institutions but did little to ensure that they were fed and fertilised by healthy social and cultural roots. They practically ignored the conclusions, as were drawn by Dr. H. Finer, after a study of scores of modern Constitutions: "The efficacy of State action is far from being dependent upon the professional servants of the state alone, for it receives its animation and direction

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from the psyche and resources of the general population among whom the civil servants work." But no attempt was made by them to draw for themselves, a new inspiration or to change the clay of the governed. The mindscape of India remained unaltered. The quality of both the ruler and the ruled deteriorated. And most institutions including the institution of civil service lost whatever little verve and vitality they had.

Consequences

On account of the four major reasons, discussed above, the health of the governance machinery had been deteriorating since the fifties. But from the mid-sixties onwards, deterioration increased sharply when populism made a deep intrusion in Indian politics. For winning elections and gaining or retaining power, reliance began to be placed, not on honest performance but on deceptive slogans, not on principles but on personalities, not on long-term perspective of nation-building but on short-term personal and party gains. Indira Gandhi suddenly discovered her poor, and Karpuri Thakur his backward classes, and regional leaders their local identities. The caste-card began to be played more frequently and the Shah Bano case took the politics of vote banks to dangerous heights. Gimmickry, chicanery and self-aggrandisement acquired a deeper hue. Catchy slogans were coined and propagated. But no capacity was created to improve the delivery system. On the contrary, the State resources were used not to promote economic development but to buy political support.[30] Economic facts were brushed aside. Social evils were not tackled. Fundamental infirmities of the system were not attended to. Instead, the personality cult was built and role of the institutions undermined. While the problems of governability increased, the capacities of the governance machinery declined. Emergency was, in essence, a manifestation of this

[30]An example of this phenomenon was holding of a number of 'loan melas' in which huge funds of public sector Banks were disbursed as loans, ostensibly to poor farmers and other weaker sections. Later on, most of these loans had to be written off.

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phenomenon. It occurred in conjunction with a few other critical issues like Mrs. Gandhi's election case. Neither the ruling party nor the opposition knew how to handle, within the framework of the Constitution, many an unsettling issue that had been assuming menacing forms underneath the surface. Emergency, in fact, was the culmination of a process that had been set in motion years earlier by forces emerging from the womb of exploitative democracy, manipulative governance, corrosive corruption and economic, social and cultural degeneration. In the post-Emergency period, too, nothing was done to arrest these forces. The polluted streams below the ground continued to infect the roots of the Indian polity. The fundamental problems of poor governance and poor value-system remained unattended. On the other hand, the streaks of superficiality in the national life became more pronounced and pompous declarations were taken as substitute for constructive work. In the circumstances, breakdown was a matter of time. And it came in 1991.

The contours of this breakdown could be seen through the prism of a few basic statistics.[31] In 1991, about 40 per cent of Government liabilities were not matched by any assets. The productivity of the economy was generally very low. Receipts from public services covered, on an average, less than 30 per cent of the revenue expenditure on them. About 75 per cent of the investment made in the public sector yielded only 4 per cent returns. Delay in implementation of the plan-projects ranged between three months to three years, and average rate of the cost escalation was 66 per cent. All the claims about the Green Revolution could not hide the fact that the farm productivity in the period 1961-91 had gone up only by 2.1 per cent per annum, while the corresponding percentage in Indonesia was 3.7 per cent, in Thailand, 4.6 per cent, and in Malaysia 4.7 per cent. Illiteracy was as high as 60 per cent and there were as many as 45 million child labourers. The females continued to be the children of the "lesser gods". In 1991

[31] For comparative data of 1951 and 1991, see Chapter 1.

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alone, there were 878 cases of dowry murders and 1479 cases of dowry suicides. Population control measures, notwithstanding the huge amounts of public funds spent on them, failed to make India a less populous country. Seventy per cent of water bodies turned into sewers. The forest cover was lost at the rate of 1.3 million hectares per year and soil erosion occurred at the pace of 12000 metric tonnes a year. Corruption and black money increased manifold. In 1990-91, it was estimated to be 60 per cent of the national income as compared to 5 per cent in 1960-61. Apart from rise of the mafia, money, muscle-power and caste-conflicts became more frequent and also more bloody and brutal. The financial system was on the verge of collapse. The fiscal deficit of the central government rose to a record level of 9.5 per cents of the GDP and its external debt mounted from $20 billion in 1980-81 to $70 billion in 1990-91. The debt services ratio increased to 32 per cent of the GDP and the country's credit rating in the international market went down. All this triggered a panic run on the foreign exchange reserves. Only $1.1 billion was left as reserves. It could hardly meet the requirements of import bills of 15 days. The crisis forced the Reserve Bank of India to take an unprecedented step of depositing a part of the nation's gold stock in the Bank of England.

Clearly, by 1991, India had become a vast tract of 'waste land' out of whose 'stony rubbish' nothing but desertification could ensue. Could this desertification be arrested by the seeds of liberalisation and marketisation that began to be thrown around in 1991? Could the winds of globalisation that began to surge change either the soil or the climate of India? Or would all these factors and forces prove futile without first containing and then ending the desertification of the Indian mind? Could any worthwhile result come about by merely changing the gear of a rotten machinery of governance? These and allied questions would be examined in the subsequent chapters.

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CHAPTER VII

LOOKING TO ANOTHER FALSE GOD
(POST REFORM PERIOD –1991 TO DATE)[1]

This stained light, this night-bitten dawn,
This is not the dawn we yearned for.
They say that darkness has been severed from light
They say that the goal has been reached
From where did this morning breeze come
And where did it go?
The earthen lamp shrugs its head in despair,
The night is as oppressive as ever,
The time for liberation of heart and mind
Has not yet come.

FAIZ AHMED FAIZ[2]

In this chapter, I shall examine what impact the so-called reforms of 1991 have produced on the Indian economy, Indian administration, the Indian ethos and Indian governance capacity as a whole. Particular attention would be given to questions such as these: Have the 'reforms' made the executive more efficient and effective and Parliament more sensitive and concerned about the fundamental issues confronting the nation? Have they resulted in

[1]December, 2004.

[2]Faiz Ahmed Faiz was one of the greatest Urdu poets of the twentieth century. He is widely read and admired both in India and Pakistan. He wrote a famous poem, titled *The Morning of Freedom*. It expresses beautifully the agony and frustration of all those who had expected much from freedom but found that the conditions had remained as painful as before. The translated extracts quoted here attempt to convey the feeling that the conditions, in their fundamentals, have not changed after the so-called reforms of 1991 and our infirmities have merely assumed another form. The heart and mind have yet to undergo liberation from the old bondage. The translation from Urdu has been done by Daud Kamal.

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higher productivity in our economy and imparted a better sense of purpose to our judiciary? Have they resulted in improving the motivation of the governors to do the right things and of the governed to respect such right things being done? Or have the fundamental infirmities of the pre-1991 period merely taken another form in the post-1991 period; and have these infirmities, coupled with the new problems that are being thrown up by rapid globalisation, become far more complex and exposed the country to new dangers of instability and loss of identity?

After attempting to answer these and allied questions through examples of actual cases and analysis of relevant data, larger questions which should be of special significance to a nation that has invariably taken pride in its ancient culture and heritage, would be raised. These questions are: Are we not presently acting like imitative men and women devoid of all creative thinking, forgetting that we once possessed the most powerful and original mind that any civilisation ever had? Have we not been so taken in by our current culture of superficiality and softness that we have no time even to think what our ultimate goal is and what destiny we are seeking? Are we not being taken in by a temporary glitter in a few areas only to be led to vaster areas of darkness at a later stage?

I would first take up the issue of quality and commitment of leadership in the post-1991 period and then scan separately each major component of the governance machinery[3] – the Executive, Parliament, Judiciary, Public and Private Institutions, and examine whether any material improvement has occurred in the position in the post-1991 period. I would illustrate my propositions by giving simple and specific examples of recent origin.

[3]There are other institutions which have bearing on governance. They include press, public and private corporations, local bodies etc. The working of these institutions and their impact on governance has been analysed in chapters XII and XIII wherein a blue-print of reforms has been unfolded and a concrete agenda for action given. This has been done to avoid repetition of data and ideas. However, the prevalence of corruption in the pre-1991 as well as the post-1991 periods has been discussed here.

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Leadership

As would be discussed subsequently, issues of fundamental significance, such as those relating to the quality and commitment of political and administrative governors and also of the governed, have not been attended to in the reform period. Nor has our democratic structure been made more mature or given a healthier soul. Consequently, no improvement has been witnessed in the arena of leadership; rather, in some ways, levels of responsibility have shown a downward trend. A pathetic example of this phenomenon is provided by the decisions that were taken with regard to the recommendations made by the Fifth Pay Commission. Instead of showing respect to its declared objective of keeping down the fiscal deficit and making the administrative machinery less expensive and more productivity-oriented, the government of the day took several decisions which had the effect of suddenly increasing the annual wage-level of its employees from Rs. 27,500 crore to Rs. 45,850 crore, leaving virtually nothing, except market borrowing, for development purposes. The basic and long-term interests of the nation were treated with a casualness which would shame even the worst of the Third World countries. The opposition parties did no better. They either remained muted or asked for still higher benefits for the employees. Practically, no party bothered about its commitment to the economy or raising the overall productivity of the system. Unprincipled pursuit of power had numbed the conscience of the leaders and smothered to death whatever little commitment and motivation they might have acquired during the time of crisis. With this frame of mind, to believe that reforms were on the way and would produce positive results could be nothing but an exercise in self-deception and shallow thinking. And it turned out to be exactly so, as would be noticed by the performance of various institutions and components of power-structure of the State.

Fifth Pay Commission
wage bill from Rs. 27,500 Crore
to Rs. 45,850 Crore.

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EXECUTIVE

Ground-Level Reality

After the general elections of September 1999 and taking charge of Urban Development Ministry, I started visiting various colonies in Delhi and other cities, and assessing the conditions at the ground level – the level at which the reality of institutions of governance exists in all its nakedness. In Delhi, I went to Alaknanda, Kalkalji and Nehru Place and found them surrounded by highly congested and insufferable slums with squatters using whatever little open space existed here and there as defecation grounds, not sparing even the area fronting the world famous Baha'i Temple which is daily visited by hundreds of national and international tourists. I found that no authority had done anything for the past ten years or so.

What did I find when I visited the historical complex of Hauz Khas? Notwithstanding the existence of a number of agencies like Delhi Development Authority, the Municipal Corporation of Delhi, the National Capital Territory of Delhi, the Archaeological Survey of India, the Indian National Trust for Arts and Cultural Heritage, the Urban Arts Commission etc., each armed to the teeth with a variety of laws, tall commercial buildings had been built in the area during the last few years, with no authority taking any effective preventive action to check this vandalism.

The infamous tragedy of Delhi's Uphaar Cinema-fire on June 13, 1997, which consumed 59 innocent lives, showed how the administrative machinery had allowed even basic safety laws to be violated with impunity for years together and how its ineffectiveness had assumed the form of criminal negligence.

In Government servants' colonies and flats allotted to Members of Parliament, I noticed that a large number of garages had been let out for commercial or semi-commercial purposes and nothing concrete had been done to end such blatant misuse.

In Mumbai, Varanasi, Amritsar and other cities which I visited, the position, in essence, was no different. Everywhere there was

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the same casualness, the same violations of civic and other laws and the same inability to check the ever-increasing hold of the land and building mafias.

All this, coupled with what I have brought out in the chapter on Urban Governance, should leave no one in doubt that in the 'reform' period, deterioration, rather than improvement, has occurred in the pattern and quality of civic life.

Uncaring Mind

I also drew up an agenda for improvement with which this Ministry was, directly or indirectly, concerned. One of the items I included in the agenda was to extend a helping hand to all other Ministries in bringing about better maintenance of their offices. Poorly kept offices have always struck me as an unmistakable symptom of the uncaring mind of the Indian administration.

Without notifying anyone, on April 10, 2001, I went to Shastri Bhawan,[4] about the improper maintenance of which I had sensed considerable discontent amongst those who visited it. What I saw confirmed my worst misgivings. A wave of diffidence overtook me – not only because dirt and disorderliness greeted me in every corridor and at every corner but also because most of those who sat in the dingy cabins, by the side of dirty and wet floors, staring at the stuffed files with vacant eyes, looked to me a resigned lot. They seemed to convey that nothing was going to change here; these conditions have prevailed for years and they would continue to prevail! This message of futility depressed me. I wondered whether my efforts were going to produce any lasting result. I began to ask myself: would this listlessness ever go? Would our work ethos ever experience a fundamental change?

What hit my eyes with agonising repetitiveness was the sight of abandoned furniture, crippled coolers, twisted almirahs and mini-mountains of cardboards, file-pads and loose papers. Even stair-

[4]Shastri Bhawan is a large building with 72,000 square metres of plinth area, constructed with modern material and facilities. It houses 18 Ministries/Departments of Government of India.

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cases had been badly blocked, virtually closing the escape routes in the event of fire or any other emergency. The ground-floor corridors and open spaces at the entrances were cluttered with cycles, throwing security requirements to the winds. The toilets were messy, with water splashed all over the floors, and exhaust fans making irritating noises.

The 'chhajas' and sun-breakers were full of rubbish, rags and other waste-material which had been thrown from the upper floors and which had decomposed with rain water that had fallen on them over the years. A number of rooms, originally built as large ones, had been haphazardly partitioned, blocking the natural light and air. To deal with the consequent problem of cold in winter and heat in summer, and also of suffocation and stuffiness, additional electric devices had been installed, causing unbearable load on power lines and increasing the risk of short circuits and fires.

Quite a few walls and corners were literally splattered with betel juice. Even water coolers had not been spared. The small shops, inside the building, had occupied much more space than allotted, and were selling items that are usually not allowed in such shops. They carried substantial stocks of betel-leaves and cigarettes. A slow-burning rope, too, had been provided to facilitate lighting of cigarettes. The atmosphere around these shops was particularly musty.

Why am I dwelling upon an ordinary visit and giving these seemingly trivial details? To my mind, neither was the visit ordinary nor are the details without significance. They reveal the deeper crusts of the Indian social milieu. The betel juice stains, congealed on the walls, are not merely indication of an unclean way of keeping offices; they also manifest the inner shabbiness that has persisted over the years. The dented almirahs are a reflection not only of careless maintenance but also of the cultural arthritis that has struck both the body and soul of Indian administration.

There are more than 100 senior officers in Shastri Bhawan and their average emoluments are more than four times than what they were in the pre-1991 period. But the offices under their charge

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remain as shabby as before. Neither higher pay nor computers have resulted in any improvement; if anything, indifference and casualness have seeped deeper into the work culture.

Work-pattern

Despite many new facilities and talks of 'reforms', the government work continues to be handled in the same old way. In regard to the movement of the papers in the Government of India, Lord Curzon had observed about 75 years ago: "Round and round, like the diurnal revolution of the earth, went the file, stately, solemn, sure and slow; and now, in our season, it has completed its orbit, and I am invited to register its concluding stage". I noticed that the position had not changed even in the post-1991 period; if anything, it has worsened. I can assert, on the basis of my recent experience, that there are now more of repetitive notings[5] on the files and the system of working is more ineffectual and the field agencies more imbecile in their impact than ever before.[6]

No wonder, a study recently conducted by a Hong Kong based 'think tank' found the Indian bureaucracy as the third worst amongst all the Asian bureaucracies. It is both bloated and blunted. Of the 43 lakh civilians on the rolls of the Central Government, only a few are engaged in creative and constructive work. Some of them have practically no work to do. A senior functionary of the Government of India – a Secretary to the Department – humorously observed, the other day, that he was the highest paid civil servant of the country; he had only a few minutes of work to do, and his emoluments worked out to be Rs.700 per working minute.

Law and Order

Equally dismal has been the performance of the executive machinery on the 'law and order' and terrorism and subversion fronts[7] in the

[5]Perusal of even a few files would show how in the post-1991 period as many as six officials deal with a routine issue.

[6]Subsequent sections dealing with tourism and archaeology in this chapter would serve as illustrations of growing weakness of the field agencies.

[7]For more detail, see chapter XIII – section dealing with Police Reforms.

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'post-reform' period. The machinery of criminal justice[8] which encompasses the work of police and prisons,[9] the investigating and prosecuting agencies and courts, remains shoddy. Large numbers of criminal cases are not reported to the police, and out of the reported ones, only 30 per cent are sent for trial. Even they remain pending for years. The conviction rate in non-CBI cases is as low as 5 per cent.[10] Prosecutors seldom take their jobs seriously. Sometimes they even collude with the defence. Witnesses, too, often turn hostile either by accepting money or on account of threats from criminals and their gang-members.

According to the data published in the Home Ministry's journal, *Crime in India*, in the year 2000, 1.77 million IPC crimes and 3.4 million Special and Local Law crimes were reported. It means that 3 IPC crimes and 6 Special and Local Law crimes are, on an average, committed every minute in the country.

On the other hand, crime has been adding more sophisticated and lethal wings to its ever-growing body. The computer and internet have given another kind of strength and subtlety to it. The graph of drug-trafficking, money laundering and corporate economic offences has been going up. As a result of all this, people have been losing faith in the police. The National Commission to Review the Working of the Constitution, in its report, has noted: "The greatest asset of the police in investigation of crimes and maintenance of law and order is the confidence of the people. Today, such public confidence is at the lowest level".

Terrorism and Subversion

It is terrorism, both internal and international, that has exposed most the soft underbelly of the Indian State and its governing machinery. The culture of softness and the 'spirit of Munich' have

[8]See also section, titled 'Judiciary'.

[9]On account of trial delays, inadequate space and other reasons, the prisons remain over-crowded. For example, against the capacity of 3700 prisoners, Tihar Central Jail in Delhi has these days, on an average, 11,000 inmates.

[10]This percentage was mentioned by the Prime Minister while addressing the annual conference of CBI (2002).

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continued to hold sway during the post-1991 period. The deep-seated menace of internal subversion has been consistently soft-pedalled. The stark facts have been ignored at and truth sacrificed. "If truth", said Emile Zola, "is buried underground, it grows, it chokes, it gathers such an explosive force that one day it bursts out". This truth has been bursting, for the last several years, in the face of the Indian State. But it has largely contented itself by wiping off the bloody face, taking a few stern steps and allowing softness to return soon thereafter. For example, the oscillation between sternness and softness and getting in the process the worst of both the worlds, has been the dominant feature of the State's approach to tackle terrorism in Kashmir. Its unfortunate consequences are for everybody to see. From September 1989 to November 15, 2001, about 52,000 terrorism related incidents have occurred in Kashmir, resulting in the death of about 9,700 civilians, about 3,000 members of security forces and about 14,000 terrorists. And yet terrorism remains and subversion continues. If anything, their beastly and brutal claws have become sharper and acquired greater reach. The attack on the Indian Parliament on December 13, 2001, which could have caused one of the gravest tragedies in Indian history, is proof of this phenomenon.

Earlier on October 1, 2001 in a fierce car-bomb explosion in the premises of Jammu and Kashmir Legislative Assembly, 36 persons were killed. After the attack on Parliament in which 5 well-armed and well-trained terrorists nearly succeeded in storming the main building and taking Ministers and Member of Parliament hostages, L.K. Advani, the then Home Minister, said:

> Last week's attack on Parliament is undoubtedly the most audacious, and also the most alarming, act of terrorism in the nearly two-decades-long history of Pakistan-sponsored terrorism in India. This time the terrorists and their mentors across the border had the temerity to try to wipe out the entire political leadership of India, as represented in our multi-party Parliament. Naturally, it is time for all of us in this august

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House, and all of us in the country, to ponder why the terrorists and their backers tried to raise the stakes so high, particularly at a time when Pakistan is claiming to be a part of the international coalition against terrorism.[11]

The statement was followed by another in which Advani demanded that Pakistan should hand over to India its 20 'most wanted terrorists' who were hiding in Pakistan; that Pakistan should make a categorical statement 'renunciating' terrorism; that it should close all training camps for the terrorists; and that it should stop cross-border terrorism. But nothing substantial emerged out of these statements and also from the *Operation Parakram* which involved immense forward deployment of troops on the western border with Pakistan and which cost the country about Rs.6,500 crore and also lives of 798 soldiers. Terrorism and violence, after a brief spell of low level activity, again gained intensity. On May 14, 2002, 36 members of jawans' families were massacred at Kaluchak Army Cantonment. During the August-September State Assembly election, 34 political leaders and workers and 168 civilians fell victim to terrorist violence. The attack on Akshardham temple in Gujarat in which 32 persons lost their lives was another grim reminder of continued presence of terrorism amidst us.

Attack on Ayodya on 5th July 2005

In my book, *My Frozen Turbulence in Kashmir*, the first edition of which was published in September 1991, in Chapter X, titled: 'Nature and Pattern of Subversion and Terrorism – Connivance, Collusion, Conspiracies', I had observed: "When the foundation is made of spurious material which is infested with white ants from within, a gale of low intensity is sufficient to bring the edifice down; a hurricane is not needed". It speaks volumes about the culture of softness[12] of the Indian State and its governance machinery that, after more than fourteen years, the white ants, let alone being destroyed in Kashmir, have spread to the capital, and the gale is

[11]This statement was made by L.K. Advani in Parliament on December 18, 2001.
[12]In this connection chapter XII – section dealing with Police Reforms may also be seen.

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threatening to rip through other parts of the country. Already, about 40 per cent of the geographical area of India, involving about 200 districts in 13 states is in the grip of terrorism and a new corridor of intense violence, from Nepal to Andhra Pradesh is emerging on the scene. So far, about 60,000 persons, including about 6,000 security personnel, have lost their lives in terrorist related activities. The external forces inimical to India are joining hands with the subversive elements within the country and are creating a serious situation. India is being virtually encircled by way of a network of terrorist camps that are being set up by the ISI in Bangladesh, Burma, Bhutan, Nepal, Dubai and even in Hong Kong and Thailand. Unfortunately, partly on account of narrow political consideration and partly due to bureaucratic infirmities, the governance machinery of the country is showing neither the vision nor the will to meet the challenge of subversion and terrorism.

Capacity to Implement

In the arena of development, there is no evidence to suggest that, after the 'reforms', a higher capacity to implement projects has been attained. On the other hand, the number of infrastructural projects which had been badly delayed was, at the end of the Eighth Five-Year Plan, as high as 189. And this delay, on account of time and cost overruns, had put an extra burden of Rs. 34,000 crore on the national economy. The position has not improved even thereafter. Presently, of the 466 projects currently in hand, 174 projects are running behind schedule. The delay ranges from 1 month to 204 months. In terms of cost-overrun, 74 per cent of the projects have undergone cost escalation. The delay in execution of irrigation schemes have been particularly pronounced. As many as 383 major and medium projects have been lingering for years; of these 111 projects have been pending for more than 25 years.

The continued poor capacity of the system is also evident from the huge commitment charges that the government has to pay to the World Bank and its allied agencies for its inability to draw the

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sanctioned loans. In the year 1997-98, the disbursement ratio[13] was 18.4 per cent, in 1998-99, 17.7 per cent and in 1999-2000, 18 per cent.

Economy

The capacity of the executive to perform diligently and honestly is best reflected in the state of the nation's economy and its internal stability and productivity. What is the position in this regard in the post-1991 period?

Claims are often made about the increase in the rate of growth from an average of 3 per cent per annum in 1980 to about 6 per cent per annum. Similar claims are put forward about the comfortable position of the foreign exchange reserves[14] on account of the reforms introduced after the balance of payment crisis of 1990-1991. Viewed from a limited perspective, these claims have obvious validity. But this is only a small segment of the picture. If we look at the entire canvas of the Indian economy, we would find many unhealthy and unwholesome spots.

High Fiscal Deficit and Indebtedness

There has been a continuing high level of fiscal deficit. The depth of the financial crisis can be gauged from the fact that total liabilities of the Central Government are now six times more than the Government annual budget. About 1,00,000 crore are being added every year to the liabilities of Government which, at present, stands at an alarming figure of Rs. 13,42,000 crore. The debt burden of

[13]The disbursement ratio is defined by the World Bank as the ratio of total disbursement during a financial year divided by the un-disbursed amount in respect of the projects at the beginning of the year.

[14]Undoubtedly, India's total foreign exchange resources rose dramatically and stood at about $130 billion in mid-2004. But this rise is attributable largely to low-level of demand for investment and growing weakness of US dollar vis-à-vis other currencies like Euro, Pound-Sterling and Yen. Moreover, the cost of holding large foreign exchange resources could be disproportionately high and the dilemma inherent in it is similar to one of keeping high food grain reserves. These cannot be off-loaded without exposing the economy to serious imbalances.

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Every Indian is indebted to Rs. 15,000.

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the government now is about Rs. 15,00,000 crore. In other words, every Indian is indebted to the extent of Rs. 15,000. What is equally disconcerting is that while public debt has been increasing, the percentage of the development expenditure on social services of the total government expenditure has been declining. In 1980-81, this percentage was about 57. By the year 2000-2001, it had come down to about 37.

12% of GDP.

The extended public sector deficit is about 12 per cent of the gross domestic product. This is one of the highest rates of deficit among the 'emerging economies'. The conditions have come to such a pass that for every Rs. 3 spent by the Union Government, Rs. 2 come from its own resources and Re.1 from its borrowed funds. In other words, out of Rs. 3 spent by the present generation, Re.1 belongs to its children and grandchildren; it is a liability which is being passed on to them. For the shortcomings of the present-day system, the future generations are being burdened. What is worse, a good portion of the borrowing is being used to finance consumption, as is evident from the rise in the revenue deficit, that is, excess of current expenditure over current revenue, and whatever borrowings are deployed for capital expenditure do not yield returns which are adequate to meet even the cost of servicing the debt.

Borrowings: 10%, Return on capital outlay 6%

Clearly, this is a road to a deeper crisis. A comparison of the Union Government assets and liabilities show that 44 per cent of the debt stock has been used up in consumption. Thus, the burden of the debt to be borne by the future generations is not accompanied by matching assets. While the average cost of borrowing is 10 per cent, the rate of return on the capital outlay of the Government is about 6 per cent, indicating a trend towards further deterioration.

Interest payments of the Union Government have been showing a rising trend. In 1990-91, they constituted 20 per cent of the total expenditure and 40 per cent of the revenue receipt. By 2000-2001, these percentages had gone upto 30 and 50, respectively. The dangers implicit in the present-day conditions were highlighted in the Economic Survey of 1998-99. It warned:

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With the exception of the initial success achieved in 1991-92 under the pressure of the balance of payments crisis, subsequent improvements have alternated with setbacks and reversal. The fiscal deficit is the key parameter of macro-economic policy, which has profound implications for inflation, interest rates, investment, growth, the financial system, balance of payments and last, but by no means least, overall credibility of Government's macro-economic policy.

But the warning had little effect. The combined deficit of the centre and states has now reached a level of about ten per cent which is higher than the pre-reform level of 9.4 per cent. The government indebtedness has also increased. "After declining from 55.3 per cent of the GDP in 1990-91, it started rising to reach 63.1 per cent"[15] – a level which is almost unsustainable. Interest payments, too, are touching a high level. "They account for 30 per cent of the total expenditure and 35 per cent of the revenue expenditure. Interest payment pre-empt nearly 50 per cent of revenue receipts."[16]

The position with regard to the finances of the States is far more precarious. The outstanding debt of all the states put together increased from Rs.2,43,000 crore in March 1997 to Rs. 5,00,000 crore in March 2001, and States debt-GDP ratio rose from about 18 per cent in 1996-97 to about 23 per cent in 2000-2001. In the last ten years, the interest liability of the States has gone up from about Rs.9,000 crore to about Rs.54,000 crore. The revenue deficit which was about 30 per cent of gross fiscal deficit in the early 1990s rose to about 60 per cent by the end of the decade, implying thereby that for every Rs. 100 now borrowed by the States, Rs. 60 are required to meet the current expenditure. The report of the Reserve Bank of India for the year 2003-2004 paints a grim picture in this regard and underscores the alarming increase in interest burden, pension liabilities, administrative expenditure and losses of State Public Sector Undertakings.

[15]Economic Survey, 2003-2004.
[16]Economic Survey, 2003-2004.

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Unemployment

The data in respect of the employment generation also leads to an uncomfortable conclusion: "Against the growth rate of job-seekers of 2.3 per cent per annum, the rate of job creation has dropped from 2.1 per cent in the 1980s to a mere 0.8 per cent in the 1990s. So far as the private sector is concerned, while jobs grew at the rate of 3.1 per cent per annum in the years from 1994 to 1997, the rate of job growth has fallen to a miserable 0.11 per cent in 2000-2001. Since the public sector is now creating fewer jobs, it is hardly surprising that the rate of job creation in the last three years has been below 0.5 per cent per annum."[17]

Unemployment has increased both in the rural and urban sectors. According to the National Sample Survey's 55th round on 'Employment and Unemployment Situation in India', "Unemployment rates among rural youth have increased between the period 1993-94 and 1999-2000, for both males and females. This rate, among the 15-24 years age group, has gone up from 57 to 64 per 1000 of the labour force for rural males and 39 to 40 for the rural females. The increase is much sharper if one looks at the daily status unemployment rate, which has gone up from 97 to 124 for males and from 83 to 125 for females."

Viewed from another angle, the incidence of unemployment increased from 5.99 per cent in 1993-94 to 7.32 per cent in 1999-2000. In absolute terms, the number of unemployed persons swelled from 20 million to 27 million during the said period.[18] According to the Planning Commission, about 16 per cent of the youth would be unemployed at the end of the Tenth Five-Year Plan (2002-2007). Referring to the latest available data, the Economic Survey, 2003-04, says:

Economic Survey 2003-04

> Some estimates of employment available from the Annual Rounds of NSSO for July-December 2002, indicate that on a usual status basis employment in the country increased at the

[17]The Hindu July 02, 2001.
[18]Economic Survey , 2003-2004.

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rate of 2.07 percent per annum during 2000 to 2002(July-December) as compared to 1.07 per cent per annum during 1994-2000. During 2000 to 2002 (July-December) in absolute terms, again on usual status basis, employment increased by 84 lakh per year, on an average, as against the target of creating approximately 5 crore employment opportunities over the Tenth Plan period, i.e. 1 crore employment opportunities per year. A Special Group constituted by the Planning Commission on targeting ten million employment opportunities per year over the Tenth Plan period had noted the decline in the rate of growth of population, labour force and workforce, but an increase in the unemployment rate during 1993-94 and 1999-2000 in spite of the improvement in the overall growth performance of the economy from the previous decade.

All this clearly shows the declining employment elasticity of growth.

But the surveys do not tell the whole story. A better idea about the prevailing conditions of unemployment in the country can be formed from the fact that recently 7,50,000 applications were received in response to an advertisement for recruitment to 20,000 low-grade jobs in the Railways.[19] Likewise, as many as 10,000 applications were received for two posts of peons advertised by the Delhi State Election Commission.[20]

The populist profligacy as well as low productivity of the executive machinery has persisted in the post-1991 period. It has been rightly observed:

> As the tenth anniversary of liberalisation and reforms is observed, the performance of the economy raises some uncomfortable questions about policies and implementation

[19]At the time of recruitment, there were sectarian clashes between the Biharis and the Assames candidates and their respective supporters.
[20]The Hindu: Sept.11, 2004.

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on the one hand and the capabilities of our businessmen and workers to deal with the new environment on the other.[21]

Poverty

Poverty,[22] too, has shown little sign of abatement. The number of the poor, on the other hand, has gone up. This is what the World Bank's report on Global Economic Prospects has to say on the subject:

> In India, home to almost half of the world's poor, the rate of poverty reduction appears to have slowed down in the 1990s, particularly in the rural areas. These areas will not see much impact on poverty even with higher growth rates.

While gross domestic product has increased, the benefits have gone largely to the rich and the well-to-do. The gap between the rich and the poor people as well as between the rich and poor states has widened, throwing up a host of problems, including those of regional disparities, social and national cohesion and provision of opportunities to the poor to improve their capacities. Even the World Bank, the champion[23] of the structural adjustment programme, has now acknowledged:

> The gap between some of India's largest and poorest states exhibit slow progress in human development indicators; low growth rates particularly in the agricultural sector. If the present trends continue, the bulk of the poor in these states will be unable to participate in future growth.

In a country of India's complexity and social background, measurement of progress on the basis of increase in gross domestic product could lead to wrong conclusions. Anyone who goes around

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[21] Business Standard: Editorial: July 03, 2001.

[22] Because of the change in methodology of assessing poverty, the Planning Commission data is not of much help for determining whether poverty has decreased or deepened.

[23] At the initial stages, the World Bank had urged the Government of India to curtail its fiscal deficit by cutting its revenue expenditure. Following this prompting by Bank, the Government of India reduced its allocation for social sectors and infrastructure. This had an adverse effect on poverty alleviation.

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Delhi's restaurants and hotels on new year's eve would certainly find thousands of sleek cars parked outside, with their owners spending virtually lakhs of rupees at every table, while thousands sleep, in the dead of winter, on pavements, in corridors and underneath the fly-overs. When measured in terms of car-production and services inside the restaurants and hotels, the increase in gross domestic product would be impressive. But would it reflect advancement of the society or its retardation, progress and prosperity or debasement of its values? And how would this increase end the misery of the poor?

The recent spate of suicides by the poor farmers of Andhra Pradesh and Karnataka should serve as an eye-opener to all those who view economic progress in terms of GDP growth. In Andhra Pradesh, about 80 peasants took their own lives, between May 18 to May 29, 2004, as they could no longer bear their bondage of debt. According to Karnataka crime bureau, out of 56,790 cases of suicides that occurred between 1996 and 2000, 10,959 were connected with farming and agricultural activities. The Green Revolution notwithstanding, a sizeable number of landless and marginal farmers in India even now are born in debt, live in debt and leave the burden of debt for their progeny.

Foreign Direct Investment

The flow of Foreign Direct Investment in India has been meagre. It has been, on an average, only $2 to $3 billion per year. Recently, however, it has gone up to $4.7 billion in a year. The inadequacy of this amount can be seen from the fact that China in comparison has been attracting as much as $50 billion per year and it expects to secure an annual flow of about $100 billion during the Eleventh Five-Year Plan (2006-2011). In India, there has been very little Foreign Direct Investment in the core sector of power, highways, sea-ports, airports, mining. Almost all the 'fast track' projects in the power sector have failed. The only sizeable investment that came through Enron-Dabhol has proved counter-productive, as the case has got entangled in a prolonged and complex litigation.

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Thus, in the crucial power sector, neither has the private investment come nor were adequate public funds provided, thereby rendering the already serious situation[24] still more serious.

All these indicators point to the fragility of the present-day financial system which shows that, on account of inadequate governance machinery, the Indian economy remains vulnerable on many a front. This should be clear from what the Planning Commission stated in its mid-term appraisal of the Ninth Five-Year Plan.

> In the 1990s, the growth rate in availability of food grains per capita has come down to (-) 0.28 per cent per annum, as compared to a growth rate in per capita availability of (+) 1.20 per cent per annum during the 1980s. The food consumption of the poor in India has gone down in the last 10 years.

Targeting mere growth would neither end poverty nor prevent imbalances in the economy nor check regional concentration of the poor. It would also deprive millions of people an opportunity to raise their capacity. Growth is necessary but it has to be oriented towards reduction of poverty, generation of employment and creation of a humane and enlightened society. A growth which divides the country into a small section of super-rich and a large section of poor people would merely result in undermining national unity, peace and progress. Jean Dreze, a noted economist, who has co-authored a book with Nobel Laureate, Amartya Sen, has rightly observed in a write-up (*Time* of December 6, 2004):

> The gains of faster growth have been largely captured by the privileged. The poor, for their part, barely manage to continue their slow exit from hunger and misery.

Other indicators of Executive performance

Another sound indicator of the worth of an Executive machinery is its ability to make the best use of the country's resources and

[24]For details see chapter XIII.

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assets, attain high level of efficiency and effectiveness in its delivery system and secure for the people a better quality of life and also a pattern of civilisation and culture which enables them to hold their heads high, in terms of the values they cherish. How has the Executive fared in this respect?

Two illustrations

Let me take up for illustration the state of affairs prevailing in two departments of the central government. These are Tourism and Archaeology. I have chosen them for analysis for three main reasons. First, I came into close contact with these departments recently and what I am going to bring out is the latest position. Secondly, both the departments have immense potential for the economic and social development of the country. Thirdly, most of India's current civilisational and cultural strands are seen by the outside world through the outlook and output of these departments and their underlying motivation or lack of it.

Tourism

Presently, the Tourism Industry is one of the biggest industries in the world. Its international receipts totalled $ 476 billion in the year 2000, and are likely to touch $ 2000 billion by the year 2020.[25] In terms of the tourist traffic, the number of tourists has already crossed the 700 million mark and is estimated to swell to 1.5 billion by 2020. This industry provides 207 million jobs – one in every 12. In India, every million rupees invested in tourism could create 47.5 jobs as compared to 12.6 jobs in manufacturing. It could help a great deal in eliminating poverty, in ending unemployment, in creating new skills, in enhancing the status of women, in developing small towns, in preserving our vastly spread out cultural heritage sites, in improving overall environment and in facilitating the growth of a more just and fair social order. It could earn a huge amount by way of foreign exchange. It is a smokeless industry and specially suited to our conditions.

[25]These are the projections of the World Travel and Tourism Council.

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India is one of the most ancient civilisations of the world. It has vast bounties of Nature – majestic mountains, lovely beaches, wonderful wild-life and enchanting bird sanctuaries – and also great treasures of art, architecture and philosophic thought. Its cultural and sacred space, extending from the Rock Memorial in Kanyakumari and Hampi in Karnataka, to Vaishno Devi in Jammu, Shankaracharya Hill and Amarnath Cave in Kashmir, and to the Buddhist Monasteries amidst the moonscape of Ladakh, is virtually immeasurable. Vast opportunities exist with regard to nature, adventure, rural and wild-life tourism and also in relation to our practices of Yoga, Siddha, Ayurveda and Unani systems of dealing with physical and mental ailments. It has 572 nature endowed areas – 89 national parks and 483 wild-life sanctuaries and 3606 protected monuments under the Ancient Monuments and Archaeological Sites and Remains Act. "For variety, extent, completeness and beauty, these monuments are unsurpassed, perhaps unequalled in the world."[26] "What is there that is not here", aptly sums up its many a splendoured heritage.

With this backdrop of history and heritage and the new horizons that were opened to us after the attainment of Independence, we could have presented to the world the wonder that is India – wonder not only in terms of the beauties and bounties of nature but also in terms of a civilisation that was born and bred here and also shone outside its geographical frontiers and left its imprint as far as Bamiyan in Afghanistan in the north-west and Cambodia in the east.

We had the potential of providing avenues which would have ensured that a tourist coming to India would be physically refreshed, mentally rejuvenated, culturally enriched and spiritually elevated and on return would also feel 'India within him' and serve as a tourism-cum-cultural ambassador of our country in the arena of his contact and influence, boosting our tourism trade further and

[26] These were the words used by a British Secretary of State in his communication to the Government of India in 1902, underlining its responsibility for preserving the ancient monuments.

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projecting a healthy image of our culture. Had we tapped this potential we could have, perhaps, become the tourist destination number one of the world. But we did not do so. On the other hand, we undermined this potential and damaged our natural, cultural and civilisational assets. We allowed our cities to be disfigured, our water bodies to be polluted and our historical spots to be surrounded by slums, stray cattle, pestering beggars and cunning touts. No wonder, notwithstanding the substantial investment made in the public sector and the wider role assigned to the private sector after 1991, India's share of world tourist traffic has remained static at 0.38 per cent for the last ten years.

It is because of the poor culture of governance and India's incapacity to enforce even elementary civic laws such as those pertaining to begging, that the tourism revolution, which has been sweeping most parts of the world, has virtually passed it by. In 1964, the number of tourists leaving their homes, worldwide, was 100 million. This number increased to 200 million in 1974, 500 million in 1992 and 700 million in 2001. India's share, as indicated above, has remained static; in fact, it has gone down from 0.54 per cent in 1950 to 0.38 per cent in 2001. This performance looks all the more dismal when it is compared with that of China. During the period 1985-99, tourists arriving in China have increased by 134 per cent as compared to India's increase of a mere 7 per cent. During the last decade, 1990-1999, China has witnessed an annual growth of about 18 per cent.[27]

What has made the difference? Primarily, it is the absence of commitment to a clean, organised and disciplined way of life. Whereas our cultural and natural treasures attract, our social traits and governance machinery repel.

Take, for example, the cases of the Ajanta Caves and the Red Fort. The Ajanta Caves and their paintings were noticed by Hiuen Tsang, the famous Chinese traveller of the seventh century. But following a period of political chaos and confusion, these

[27]This data has been drawn-up from the report of the World Travel and Tourism Council (August 2001).

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"monuments in mountains" lapsed into obscurity and were virtually lost to history. They were accidentally rediscovered in 1819 by a team of British soldiers who were on a hunting expedition in the area. The rediscovery of "this richest remaining jewel of the ancient art of India" was hailed as one of the greatest finds of the art world. The quality of the murals, the form and message of which travelled to Japan and South Korea through Tibet and China, is truly superb. Laurence Binyon, a leading authority on Asian art, has observed: "Whosoever studies the art of China and Japan, at whatever time he begins, starts on a long road which will lead him ultimately to Ajanta". In the same strain, the Burlington Magazine described the paintings of Ajanta as "the greatest artistic wonder of Asia".

But how has this invaluable cultural resource been used by the executive machinery in the pre-reform as well as the post-reform periods? When I visited the Ajanta complex at the end of the year 2001, after my portfolio was changed from Urban Development to that of Tourism and Culture, I found that ugly stalls, with protruding tin-sheds and hanging gunny bags, had come up at the very feet of the caves. The vacant space was littered with paper, empty food packets and other waste. Noisy vehicles fumed across pedestrian paths. Parking was disorderly. The signages were old, rusty and repelling. Up in the caves, light was too faint to permit proper viewing of the paintings. Torches or hand-held electric lamps could provide little satisfaction. One of the caves had even been occupied for use as an office by the Department of Archaeology. Public conveniences and even facilities for cold water hardly existed. In short, the environment in and around the caves had been debased and a great cultural asset virtually converted into a liability – a ready-made spectacle for denigrators and critics.

The case of the Red Fort, a prime monument in the heart of the capital, was still worse. Its proper upkeep, besides presenting an excellent image of India's heritage, would have served as a big money-spinner by attracting thousands of tourists every day. But a casual executive machinery had allowed a very large portion of it to remain with the army, undermining the glory and grandeur of

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an imposing complex. When, after taking over as Minister for Culture and Tourism, I went to have a look at it in depth, I came across a number of shabby structures standing like sore thumbs amidst a grand building of medieval grace and charm. Ugly stalls and their clumsy signages, with loose and hanging electric wires, compounded the picture of disarray. Even a cobbler and a washerman had managed to sneak in. The broken 'jharokas' on the walls fronting the river had been stuffed with bricks and rubble and weeds allowed to grow around. The rampart and the bastion had innumerable black spots on them. The open ground in the rear of the fort-walls, along the Ring Road, had become a nauseating slum, emitting foul smell. The staircases and the gates that were once opened to the water-front, were locked and their inner space filled with junk-stores. An old, worn out, building, which was once used by the British army as a tea-house, had been turned into a huge heap of mud and garbage. The main entrance and the open space between it and Chandni Chowk and Jama Masjid were clogged with shacks, stalls, and stores, uglifying the entire landscape.

All in all, the Red Fort complex showed the depth of sloth and indifference to which working of the executive had descended over the years, and how this had resulted not only in wastage of valuable resources but also in causing a very poor impression about the current state of our civic life.

While States in India have been dwelling upon the importance of tourism for the advancement of their economy and clamouring for more funds from the central government for tourism-related projects, the performance of their executive machinery has been, to say the least, pathetic. This would be clear from the fact that, of the 345 projects sanctioned by the central government as early as in the Seventh Five-Year Plan (1987-92), 70 remained incomplete even at the end of 2002. The fate of such projects in the Eighth Five-Year Plan (1992-1997) was no different – as many as 538 projects, out of 595 sanctioned, have not so far been implemented. The Ninth Five-Year Plan (1992-2002) has witnessed an equally dismal performance; of the 1365 projects sanctioned, as many as 1168 projects have yet to be executed.

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Archaeology

Archaeology is another area whose working shows how, while 'reforms' have been talked about incessantly, the executive machinery in India has been developing wider and wider cracks. This area had once been served by such dedicated stalwarts as Alexander Cunningham, James Burgess, John Marshall, Sir Mortimer Wheeler. Their historic and pioneering work, coupled with equally historic and pioneering work of the Asiatic Society of Bengal in discovering and translating Indian classics and deciphering of inscriptions, such as those on Asokan pillars and rocks, resulted in the great and glorious past of India being dug out from the huge and heavy debris of its decadence and decline.

The process began in the late eighteenth century. Dr. Samuel Johnson, having understood the importance of the subject, advocated that the past of India should be systematically investigated. Warren Hastings,[28] the then Governor-General, was no less keen. The concrete measures were, however, taken only after Sir William Jones[29] arrived on the scene. In September 1783, he was appointed as a Judge of the Calcutta Supreme Court. He gathered around him a band of dedicated scholars, and founded, on January 15, 1784, the Asiatic Society of Bengal with the basic objective of inquiring into "whatever was performed by man or produced by nature within the geographical limits of Asia."

[28]Warren Hastings had an innate love for the people of India. He "respected them to a degree which no other British ruler has ever equalled". He described the translation of Bhagavad-Gita as "the gain of humanity". About the intrinsic worth of the ancient thoughts, he had observed: "These would survive when the British dominion in India shall have long ceased to exist, and the sources which it once yielded of wealth and power are lost to remembrance".

[29]Sir William Jones, early in his career, had earned a great reputation for Oriental scholarship. He knew 28 languages. He was the first European scholar who was not prejudiced against Oriental studies. In his well known essay on the poetry of Eastern Nations, he wrote: "If the languages of the Eastern nations were studied in our great seminaries of learning, we should have a more extensive insight into the history of the human mind and a number of excellent compositions would be brought to light".

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With the establishment of the Asiatic Society and a number of scholarly works undertaken by it, the history of India took a sharp turn and moved, literally, from darkness to light. The hidden treasures were spotted, one by one. Sir William Jones himself translated Kalidasa's *Shakuntala* and unfolded the history of Chandragupta Maurya by synchronising it with a stage of Greek history. Cole Brooke translated the Vedas and Wilkins the Bhagavad-Gita. At the time the Society was set up, "little was known of India and that little was superficial and inaccurate." But within a span of half a century, the Sanskrit language and literature became known all over and its range, richness and depth dazzled the world. It particularly thrilled the Indians.

Equally spectacular were the developments in the field of archaeology. James Prinsep deciphered the Asokan inscriptions and solved the tangle of Kharoshthi and Brahmi scripts. His epigraphic and numismatic techniques produced remarkable results. Charles Wilkins laid the foundation for epigraphical studies. Captain E. Fell discovered the Sanchi Stupa and Erskine brought to light the excellence of Ajanta caves and their paintings.

With the appointment of Alexander Cunningham as the first Archaeological Surveyor of India in 1861, a great upswing in exploration was witnessed and many historic cities and sites, like Taxila and fortress of Sangala, associated with the invasion of Alexander the Great, were identified. His successor, Dr. James Burgess, made a significant contribution in the form of many publications. But it is to Lord Curzon, that India owes its deepest debt in the venture of evolving and implementing a scientific and steadfast policy. For him, preservation of the archaeological treasures of India was passion. "As a pilgrim at the shrine of beauty I have visited them, but as a priest in the temple of duty have I charged myself with their reverent custody and their studious repair." These feelings were expressed by Lord Curzon in the course of his speech at time of the passing of the Ancient Monument Act of 1904. He went on to say: "All know that there is beauty in India in abundance, I like to think there is reverence also, and that amid our struggles the present could join hands in pious respect of the past".

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Dr. John marshall 1902 - to 1920 DG of ASI: He left India 3000 years older than he had found it.
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John Marshall, who was appointed as Director-General of Archaeological Survey of India in 1902, was as passionate a lover of Indian Archaeology as Lord Curzon. He remained at his post till 1928. During these 26 years, a large number of sites, including Nalanda, Vaishali, Pataliputra, Taxila and prehistoric towns of Mohanjodaro and Harappa, were unearthed, resulting in a revolutionary change in the entire perspective of Indian history. About Marshall's contribution, it had been appropriately remarked: "He left India about 3000 years older than he had found it."

Sir Mortimer Wheeler, who took charge of the Department of Archaeology in 1944, greatly upgraded its working by setting up clear-cut objectives and ensuring greater cohesion and coordination in excavation and conservation work. After Mortimer Wheeler left in 1948, the Department was ably served by a number of eminent Archaeologists like Dr. Chakravorti, M.S. Vats and A. Ghosh. Both in quality and quantity, the work was so good that in May 1956, Sir Mortimer Wheeler could convincingly say: "Today, no part of the world is better served in the archaeological matter than the Republic of India."

The creative and constructive impulse which the Asiatic Society and Archaeological Survey of India received from the early stalwarts continued for about two decades. Even in 1979, it could be said of Indian Archaeology with sufficient justification: "Today, there are very few world areas of comparable size where knowledge of the ancient past is growing so rapidly and over so broad a geographical and chronological spectrum". But then the culture of governance of the current times began to assert itself. Under its impact, things starting falling apart. And by the year 2000 the conditions had become pathetic! This is what a high-level Review Committee,[30] set up recently by the Government of India has to say:

[30]The Review Committee was set up on May 4, 2000. It submitted its report in instalments. The Committee was chaired by Shri B.B. Lal and its other members were: Shri M.N. Deshpande, Dr. S.R. Rao, Dr. S.P. Gupta, Shri O.P. Aggarwal, Dr. M.B. Athreya, Dr. N.S. Raja Ram, Dr. A Sundara, Shri Ravi Bhoothalingam and Dr. R.C. Aggarwal.

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Such an agony may not be seen anywhere else in the Government of India. Still, this state of affairs has not pricked the conscience of any of the deputationist Administrators entrusted with the cadre management of the ASI for the last over two decades. Their achievement has been not just zero, but stunningly negative, destroying the careers of about three generations of officers and staff when we reckon that unless the person climbed the ladder, step by step, during the first ten years of service, in unison, they are stumped or stampeded out. The deputationist had no stakes in the ASI and no accountability to anybody in the ASI. Their careers were secure in their parent cadres without the vicissitudes which could strike them had they been there. They got promotions, even accelerated promotions, in their cadres. The ASI had really been a 'rest-house' for them.

Scores of excavations, carried out earlier at huge cost, have not been reported upon. The material and records have been dumped in trucks for years and are still lying there. Such is the scale and depth of unconcern that some of the excavated sites have been virtually lost. The evidence showing their special features cannot be cited with any degree of conviction required. Kalibangan,[31] for example, was excavated about 30 years ago. This excavation brought out extremely significant and hitherto unknown facts – sacrificial pit; fire-altar; 'tandur' etc. The earliest agricultural field discovered was at this site. So was the earlier evidence about an earthquake. Fire-worship, use of 'tandur' for making bread and fortification-wall around the lower town were also noticed here. All these items are no longer visible. For over two decades, no conservation work was done. Nor was any other portion extended. The same is the sad story of Shrengaverapura, a site on the banks of the Ganga in

[31]This site is located in Rajasthan. The Review Committee, in its report of March 29, 2001, has said: "As many as 5 members of the Committee visited it. All of them were almost in tears to see how an extremely important and well excavated site of Harappan civilisation has been ruined because of non-conservation. Indeed, today it stands as a monument of 30 years of neglect".

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Allahabad district, where an ancient marvel of hydraulic engineering skill – a 20-metre long tank-complex, built with kiln-fired bricks, about two thousand years ago – was spotted.

The number of reports with regard to already excavated sites, which have been pending for over five years, is 21. Not only precious time but also precious resources have been wasted. The estimated cost of these excavations is about Rs. 50 crore.

The undercurrent of unconcern, which has been moving faster and faster with the passage of time, has also adversely affected the once prestigious publications of the Department of Archaeology – *Ancient India; Indian Archaeology;* and Annual Reports on *Indian Epigraphy*. The first publication has ceased and the other two usually remain behind schedule.

In the march towards apathy and indifference, what has recently become a matter of great concern is the case of securing recognition of Indian monuments and sites as world heritage sites. In the year 1972, the UNESCO adopted a convention 'concerning the protection of the world cultural and natural heritage'. In accordance with this convention, it started the practice of calling for nominations for inscriptions of monuments and sites for inclusion in the World Heritage List. By virtue of its vast cultural and natural wealth, India should have succeeded in securing inclusion of a very large – perhaps the maximum – number of monuments and sites in the World Heritage List. But its approach was casual. After the initial stage, when 16 monuments and 5 sites got included in this list,[32] almost in routine, their unique character being so well-known, practically no action was taken for nearly a decade. Later on, when 13 monuments and sites were recommended for inclusion in the list in 2000-2001, papers were returned on the ground of being incomplete. In the meanwhile, the UNESCO decided to put a

[32]Ajanta Caves, Ellora Caves, Agra Fort, Taj Mahal, the Sun Temple, Konarak, Mahabalipuram Group of Monuments, Goa, Churches and Convents, Khajuraho group of monuments, group of monuments at Hampi, Fatehpur Sikri, Mughal City, group of monuments at Pattadakal, Elephanta Caves, Brihadisvara Temple, Thanjavur, Qutab Complex, Delhi, Humayun's Tomb, Delhi, Buddhist monuments at Sanchi.

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ceiling of one nomination per country. Thus, by the sheer ineptitude of the Executive machinery, India lost both fame and fortune which the inclusion of 13 great monuments in the List[33] of World Heritage sites would have brought to it. The damage done is virtually permanent. Now, at the most, only one monument can be added after every two years. Compared to India, other countries, much smaller in size and with less architectural wealth, have got many more sites included. For example, the West European countries – the United Kingdom, France, Spain, Italy, the Vatican, Germany, Austria and Belgium – which, put together, have an area equivalent to India, have been able to secure inclusion of as many as 153 sites in the list. Germany and United Kingdom each has 25 per cent more sites than India. Mexico, which is much smaller in size, has as many sites as India.

In view of the illustrations that I have provided, the experiences that I have recounted and the data that I have cited in this section, it should be abundantly clear that the imbecility of the Indian Executive has become more, and not less, pronounced in the 'reform' period. Both pre-reform and post-reform periods have, in fact, shown deplorable streaks of superficiality. Both have substituted rhetoric for content. Both have been imitative. And both have turned a blind eye to the need for developing an original mind, for doing some creative and constructive thinking and for performing solid and sound actions on the ground.

PARLIAMENT

Let us now turn to another important component of the governance machinery of the State – Parliament. In a democratic form of

[33]These thirteen monuments/sites were: Ancient Buddhist sites; Sarnath, Varanasi, Uttarpradesh; Buddhist Monastery Complex; Alchi, Leh, known as Alchi Choskor; Dholavira: a Harappan city, Gujarat, District Kachchh; Golconda Fort, Hyderabad, Andhra Pradesh; group of monuments at Mandu, Madhya Pradesh, Hemis Gompa, Mattanchery Palace, Ernakulam, Kerala, pre-historic rock shelters and caves with paintings at Bhimbetka, Madhya Pradesh; Rani-ki-Vav (The Queen's Stepwell) at Patan, Gujarat, temples at Bishnupur, West Bengal; the Mahabodhi Temple Complex at Bodh Gaya in the State of Bihar; Tomb of Sher Shah Suri, Sasaram, Bihar, Victoria Terminus.

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Government, which India has chosen by way of its Constitution, Parliament occupies a pre-eminent position. It symbolises the sovereignty of the people. It is an expression of the national will. It is the supreme law-making body. It can enact, alter or amend any law. It can also amend the Constitution, without altering its basic structure. Through it, the governors are made accountable to the governed; through it, the grievances of the latter are brought to the notice of the former and their redressal sought. It provides a forum for free, impartial and objective deliberations and for a reasoned debate on issues of national and international importance. The conduct and contribution of the Members determine, to a large extent, the nature and content of the national polity and also the social and cultural health of the system of governance. Parliament is expected to ensure that the law and the civilised norms would invariably prevail and that national affairs would be dealt with in a truly democratic and constructive manner.

Parliament, in short, is a political workshop of the nation wherein social and economic engineering takes place. At a higher plane, it also serves as an intellectual wing of the governance machinery and helps in formulating its vision and also securing translation of that vision into a reality. On its vigilance depends the continued alertness of the executive. The character and quality of its members determine, on the one hand, whether or not the malady of floor-crossing would prevail and, on the other, whether or not the Parliamentary set-up would be reduced, in the name of party discipline, to an elective dictatorship.

The Indian Parliament, in its conceptual framework, has all the essentials and frills of a liberal democratic system. But, for the purpose of determining the nature of its contribution to the governance machinery, its actual performance during the last 50 years or so needs to be assessed. It started fairly well. The intellectual and moral calibre of those who fought elections and got elected was generally high. The Chair was shown all the respect and the rules of parliamentary decorum were observed. The standard of debates in Parliament did not leave much to be desired. There

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were the stalwarts like Shyama Prasad Mookerji, Bhupesh Gupta, Ram Manohar Lohia and Acharya Kripalani. Jawaharlal Nehru himself encouraged the independence of Parliament and free debate and supported G.V. Mavalankar, the first Speaker of the Lok Sabha, in his efforts to "build Parliament as an independent institution not to be seen as an extension of government or of party." Mavalankar believed that "if we go merely by majority, we shall be fostering the seeds of fascism, violence and revolt." Nevertheless, soon thereafter, things began to change. More often than not, the Members of Parliament rubber-stamped the government legislation and other measures after making a few observations here and there. Pliability became a marked feature of Parliament.

With the passage of time and with the basic issue of national reform and regeneration left untouched by the national leadership, many other weaknesses, apart from pliability, crept in, and a steady fall in the standards of behaviour and performance of Parliamentarians and legislators was witnessed. However, except for expressing concern from time to time, nothing substantial or solid was done to arrest the decline. Consequently, the conditions deteriorated sharply, particularly after the eighties. Little respect was shown even to the Chair. Things came to such a pass in May 1990 that Dr. Shankar Dayal Sharma, the then Vice-President and Chairman of the Rajya Sabha, broke down and wept uncontrollably in the House, so incensed and anguished he was over the conduct of some of the members. On this, Shri K.K. Tewary, an ex-Member of Parliament ridiculed the attitude of Dr. Shankar Dayal Sharma, and went to the extent of saying: "Dr. Sharma's hysterical rantings have not served the cause of democracy as his simulated dramatics were clearly aimed at gagging the only opposition party... the likes of Dr. Sharma who are holding constitutional positions should not allow their offices to be manipulated for political propaganda in favour of the present rulers who have brought the country to the brink of complete dismemberment." If such were the conditions in the House of Elders, one could imagine what would be happening in other legislative bodies. In the State Assemblies, it became almost

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a routine to interrupt the Governor's Address, forgetting that the Head of the State was merely discharging his constitutional obligation and the occasion of Address demanded utmost solemnity and dignity.

By 1997, the position had become so bad and caused so much worry to the then Speaker, P.A. Sangma, that he, with the ostensibly enthusiastic approval of the leaders of the political parties, arranged a special discussion on the subject in the Golden Jubilee Session of Parliament. After a long debate, during the course of which almost all the members dwelt upon the importance and need for maintaining discipline in the House and conducting its business in a dignified manner, a unanimous resolution was adopted, on September 1, 1997, with much fanfare and with much patting on each other's back. An impression was created that Parliament would turn a new leaf and set itself on the path of decency, dignity and calm and constructive deliberations. The resolution, *inter alia*, said:

Resolution of 1.9.1997

> We, the Members of the Lok Sabha, meeting in a specially convened Golden Jubilee Session of both Houses of Parliament, to commemorate the completion of half a century of freedom;
>
> Having remembered with gratitude the great sacrifices made and the salutary services rendered by our freedom fighters;
>
> Having reflected upon the state of the nation with the Preamble to the Constitute as the guide;
>
> Do now solemnly affirm our joint and unanimous commitment to the issues hereinafter mentioned, and we also do solemnly resolve and direct that they be adopted as minimum tasks, constituting our "Agenda for India" on this historic occasion.
>
> That continuous and proactive efforts be launched for ensuring greater transparency, probity and accountability in public life so that the freedom, authority and the dignity of Parliament and other legislative bodies are ensured and enhanced; that more especially, all political parties shall undertake all such

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steps as will attain the objective of ridding our polity of criminalisation or its influence;

That the prestige of Parliament be preserved and enhanced, also by conscious and dignified conformity to the entire regime of Rules of Procedure and Conduct of Business of the Houses and Directions of the Presiding Officers relating to orderly conduct of business, more especially by –

- maintaining the inviolability of the Question Hour.
- refraining from transgressing into the official areas of the House, or from any shouting of slogans, and,
- invariably desisting from any efforts at interruptions or interference with the address of the President of the Republic.

I was myself in the House throughout the proceedings and participated in them. I wondered whether any change in behaviour and outlook would really come about without any change in the mind and motivation of the members. No commitment, it was clear to me, could strike roots in unresponsive soil. This is exactly what it turned out to be. Hardly had the resolution been adopted than its violation began and that, too, with no holds barred. In the twelfth Lok Sabha, out of 575 working hours, 68 hours were lost due to adjournments and interruptions. Likewise, in the thirteenth Lok Sabha, 74 hours in the Budget session of 2001 and 29 hours in the Monsoon session of the same year were wasted. While 41 sittings were fixed according to the original schedule of business for the Budget Session, only 16 sittings took place. The Railway Budget was passed virtually without any discussion. The general Budget,[34] involving an expenditure of Rs. 37500 billion, too, was dealt with in haste. A number of important Bills, such as Money Laundering Bill, Fiscal Responsibility and Budget Management

[34]The Comptroller and Auditor-General of India has recently pointed out that now only 39 per cent of the total budgetary expenditure falls within the scrutiny of Parliament, and this percentage would come down to 15 if debt servicing liability and non-plan administrative expenditure are taken into account.

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Bill and Bank Nationalisation (Amendment) Bill, remained unattended.

As has often happened, in the course of human history, during the downward march of a civilisation, instead of looking into the fundamental infirmities of the mindscape of those who constituted the House or controlled its affairs, exercise of collecting leaders and passing resolutions was repeated. On November 25, 2001, another high level All-India Conference[35] *of Presiding Officers, Chief Ministers, Ministers of Parliamentary Affairs, Leaders and Whips of Parties on Discipline and Decorum in Parliament and State Legislatures, was called and, after making speeches similar to the ones made earlier in such Conferences, yet another resolution was passed, which, inter alia, stated:*

> Taking serious note of the growing tendency to disturb and stall the proceedings of Parliament and State Legislatures and incidents of disorderly conduct by members inside the House which, besides eroding the credibility of these representative institutions, also lead to public disillusionment with the very system of parliamentary democracy;
>
> Urge the legislators to realise that they belong to the supreme representative institutions of our democratic polity, that their conduct, both inside and outside the House, has a direct bearing on its success and they being the custodians of the interests of the entire nation, their conduct should not only be exemplary but also conform to the highest democratic traditions and expectations of the people;
>
> Rededicate themselves to preserving, nurturing and strengthening the parliamentary democracy which is the very essence of our polity and to make the parliamantary institutions a success; and

[35]This Conference was attended by about 300 leaders, including Prime Minister, Shri A.B. Vajpayee and Leader of the Opposition, Mrs. Sonia Gandhi. It prescribed 60 'dos' and 'don'ts'. It also wanted Parliament to sit for a minimum 110 days in a year and the State Assembly between 50 to 90 days.

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> Resolve that all violations or breaches of the Code of conduct be duly punished by measures like admonition, reprimand, censure or withdrawal from the House for offences of a less serious nature and by automatic suspension from the service of the House for a specific period for grave misconduct as may be specified.

This resolution and rededication proved as sterile as the previous resolutions and rededications. The Budget Session of 2002 saw interruptions, shouting and adjournments on more or less the same scale as in the Budget Session of 2001. While in the former session, the House did not function for a week over the issue of the Gujarat[36] disturbances, in the case of the latter, it was the Tehelka[37] disclosures that caused long disruptions. The parliamentarians, by and large, have refused to show even an iota of respect to their own commitments. It has virtually become a ritual with them to first pass a resolution and then disregard it. What is worse, this ritual is carried out with the connivance of the party leaders. An attitude is being increasingly adopted that the House would not be allowed to function unless a particular course is agreed to or a particular demand conceded.

The continuing decline in observing parliamentary decorum and standards was seen again in the Budget session, held soon after the General Elections of 2004. The acrimonious relations between the ruling United Progressive Alliance and the opposition National Democratic Alliance led to frequent interruptions and adjournments. Even the Union Budget, involving expenditure of over five lakhs crore, was passed without any discussion. An exasperated Speaker bemoaned:

> It is destructive of the basic tenets of parliamentary functioning when disrespect is deliberately shown to the Chair. Some members seek to behave as Super-Speakers. The decision is

[36]Riots erupted in Gujarat after a train coming from Ayodhya was set on fire by a mob on February 27, 2002.

[37]Tehelka disclosures, taped surreptitiously on television related to the alleged corruption in defence deals.

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taken by some members outside the Chamber whether the House will transact its normal business or not and the Speaker is only informed of the same and he is expected to accept the decision and act accordingly.

Again, while delivering the Bhim Sen Sachar Memorial Lecture on December 1, 2004, Somnath Chatterjee, rightly observed : "The near riotous scenes sometimes witnessed in our legislatures, including Lok Sabha and Rajya Sabha, bring shame to the great institutions and those who constitute them."

Clearly, this attitude strikes at the very roots of the system of Parliamentary democracy. It also involves a huge wastage of human, technical and financial resources, which, to say the least, is unfortunate in our country where every single paisa needs to be saved for investment in development and for removing poverty, hunger and disease. Every hour lost in Parliament costs the nation about Rs.14 lakh. If a full day is lost, it means a loss of Rs. 1 crore.[38] The cost of Parliament, over the years, has also been increasing. In 1950-51, Lok Sabha's budget was negligible. It went up to about Rs. 12 crore in 1983-84 and to about Rs. 30 crore in 1991-92. Presently, it stands at about Rs. 255 crore.

How could there be good governance in a country where Parliamentarians are unable to conduct themselves in an orderly and disciplined manner and where pledges solemnly taken in the highest deliberative body of the land and by the chosen representatives are broken soon thereafter with extremely narrow ends in view and without having any regard for the overall interest of the nation and general welfare of the people themselves? With melodramas galore and with core values of democracy being increasingly ignored, could public confidence in the efficiency of Parliamentary institutions – whatever is left of it – be maintained? How right was John Stuart Mill, when, in his classic essay on Representative Government, he wrote: "How can a representative assembly work for good if its members can be

[38]This data has been culled out of a Reference Note of IARRDIS – R.N./REF/ 2002.

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bought, or if their excitability of temperament, uncorrected by public discipline or private self-control, makes them incapable of calm deliberations?"

Dr. Rajendra Prasad, President of India, in his address to the joint session of the two Houses, on May 16, 1952, had expressed the hope that the Parliamentarians would attend to the larger issues and relegate the lesser ones. He had said: "I earnestly trust that, in the great tasks that face us, you will remember this ancient and ever-new message of India and will work in a spirit of cooperative endeavour, placing the cause of the nation and of humanity above all lesser objectives...". Unfortunately, these days, our Parliamentarians are doing exactly the opposite – relegating larger issues and engaging themselves either with non-issues or issues of lesser consequence. The task of national reconstruction or providing new and healthy vision to the nation does not seem to be on their agenda.

Even when the House is functioning, members generally show little interest in its proceedings. Few are knowledgeable. Fewer still have the inclination to study the legislative business in depth and make a sound and solid contribution to the discussions. Few work hard to bring out facts which grip the attention of the nation, such as the ones brought out by Dr. Ram Manohar Lohia when, in the course of a debate on planning, on September 6, 1963, he pointed out that the daily earning of 23 crore Indians was no more than three 'annas'. On most of the occasions, particularly in the afternoons, the House remains virtually empty. In the First Lok Sabha, legislative business took about 50 per cent of the total time; now it takes only about 15 per cent.

To ensure a detailed examination of legislative and financial business, an Institution of Standing Committees was created on March 29, 1993[39] and 17 departmentally related committees were set up. Each Standing Committee has 45 Members – 30 nominated

[39]A beginning in this direction was made in 1989 when, as an experimental measure, three Subject Committees, one each on Agriculture, Science and Technology, and Environment were set up.

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by the Speaker of the Lok Sabha and 15 by the Chairman of the Rajya Sabha. These Committees are required to examine in depth demands for grants, bills, annual reports and long term policy documents that may be referred to them by the Speaker or the Chairman.[40] But, as it often happens in an overall environment of superficiality and casualness, this Institution has created more problems than it has solved. Important legislative business remains pending with the Standing Committees for months. For example, the Electricity Regulatory Commission (Amendment) Bill, 1999, was referred to the Standing Committee on January 04, 2002, and is still pending with it. Likewise, the Coal India (Regulation and Validation) Bill, 1995, is pending with the Committee since February 01, 2000. Except for the Chairman and his staff and one or two other members, no other member generally takes sustained interest. The Ethics Committees[41] of the two Houses have also not yielded any worthwhile result. In practice, the old habit of causing interruption, shouting slogans, creating pandemonium and forcing adjournments continues.

Over the years, be it 'reform time' or 'pre-reform time' – the standing of our Parliament and Legislative bodies, in the public eye, has been falling, and no one seems to know how to arrest the decline. Had only the resolutions and pledges offered the solution, the problem would have been successfully tackled by now. But the seeds of the malady are embedded elsewhere. And that 'elsewhere' is not being located either by the social or political leadership.

In view of what has been happening in our Parliament and State Legislatures, I often wonder whether Sri Aurobindo was not right when, about 60 years ago, he said: "I have no doubt we shall have to go through our Parliamentary period in order to get rid of the

[40]At that time, this measure was hailed as an act of great reform, a path breaking effort to ensure Parliamentary supervision over Administration.

[41]The Ethics Committee of Rajya Sabha was set up in 1997 and the Lok Sabha Committee soon thereafter. Both the Committees emphasised the importance of observing the Rules of Procedure and Conduct of Business and the Speaker's directions. They also enunciated the general principle of ethical behaviour.

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notion of western democracy, by seeing in practice how helpless it is to make nations blessed... It is only when this foolishness is done with, that truth will have a chance to emerge and a really strong spiritual movement begins as a prelude to India's regeneration..."

JUDICIARY

"The administration of justice", said George Washington, "is the finest pillar of good governance." But in India, this pillar has shown as many weak spots as other pillars of the state power-structure. Even during the reform period, these weak spots have not been effectively attended to and strengthened. The court arrears, which have been a matter of national disgrace, have continued to accumulate.

At the end of 1990, about 2 lakh cases were pending in the Supreme Court, 18 lakhs in High Courts, 2.07 crore in the Subordinate Courts, and 40,000 in the Central Administrative Tribunal. After ten years, while the position has improved in the Supreme Court, it has worsened in all other Courts/Tribunals. Presently,[42] 2.03 crore cases are pending in the courts of subordinate judiciary and about 33.50 lakh cases in the High Courts. Eighteen per cent of the High Court cases have been pending for more than ten years.

Even the cases handled by the specialised agencies fare no better. Out of 4,354 CBI prosecuted cases, pending in the trial courts on May 1, 1999, about 1,041 had been pending for more than five to eight years, and 711 for more than fifteen years. The trial in Sant Harcharan Singh Longowal murder case, notwithstanding its importance, took 13 years to complete. Likewise, the trial in the Nirankari Baba case took 9 years. All this is happening, despite the fact that India is a signatory to the international convention which recognises the right to speedy trials as a human right and her own

[42]February 2004.

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Supreme Court has repeatedly emphasised the importance of this right.

It has often been argued that the main reasons for the huge arrears is the inadequate number of courts. In support of this argument, the views of the Law Commission are cited. The Commission, in its 120th Report, had pointed out that in India, the number of judges per million of population, was only 10.5 as against 41.6 in Australia, 72.5 in Canada, 50.9 in England and 107 in United States of America. But this comparison is misleading! What is relevant is not the figure of population but the figure of the number of cases instituted. Serious crime per million of population is 81,210 in Canada, 60,970 in France and 42,668 in the United States of America as compared to 1,790 in India. Similar is the position with regard to the civil cases. Viewed in the context of the number of civil and criminal cases instituted, the number of courts in India, both subordinate and superior, is more than adequate. What has been causing the arrears to mount is the general work-culture of subordinate judges and their general disposition not to apply their minds at the initial stage, and not to turn down unreasonable demands of litigants and their advocates. Even where matters could be quickly disposed of on the basis of the laws settled by the Supreme Court or the High Court, the cases drag on for years. The poor work-environment of the subordinate courts is another factor which causes delay.

On account of these negative factors, crime in India has been growing both in scale and complexity. The current conditions have been appropriately summed up by Prof. Madhava Menon, a noted authority on criminal justice, as follows:

> With an escalating figure of violent crimes, accumulated arrears of 30 million cases, a conviction rate of less than 10 per hundred prosecutions and a high level of corruption in the processing of crimes, the system or whatever is left of it, presents a pathetic picture of frustration, helplessness and anger among the people. Criminals do not seem to be deterred by the punishments which may or may not follow their evil acts;

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> they seem to be acquiring sophisticated technology in perpetrating crimes and in destroying evidence. They seem to take full advantage of the well-intentioned protections in the procedural laws making a mockery of the system. The public and occasionally the courts blame the police who, in turn, accuse the laws and the courts.

The declining quality of police investigation and low rate of conviction has been noted also by the National Commission to Review the Working of the Constitution. It has observed:

> The assumption that by punishing the offender the victim receives 'Justice' is of doubtful value today because of the decreasing number of successful investigations and convictions. Given the inconvenience, delays, corruption and harassment, many victims tend to keep away from reporting crimes and sometimes there is a tendency to take law into one's own hands.

Public Applause and Activism

While the administration of justice in general and the functioning of the subordinate courts in particular have been poor, the higher judiciary, especially the Supreme Court, has won much public applause. In fact, of all the three organs of the State power-structure, the judiciary is the only one that has, over the years, retained high esteem. It has shown both vision and insight, and used the power of judicial review to make the Constitution a living and responsive document. With the exception of what the Supreme Court did during the Emergency, when it showed both legal and moral timidity and ruled[43] that no citizen "had standing to move a writ

[43]In the Habeas Corpus case listed as ADM Jabalpur vs Shiv Kant Shukla (1976), the four-judge majority upheld the contention of the government that the detention order could not be challenged on the ground that it was legally and factually malafide. The only dissent was of Justice H.R. Khanna. The Supreme Court verdict in this case must be reckoned as a black chapter in its history. It reduced "the Indians to a state of total rightlessness". S.P. Sathe has rightly observed: "Many crimes committed during the emergency seemed to be a natural consequence of total self-negation by the judiciary".

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of habeas corpus before a High Court in the light of President's order of June 27, 1975", its record has inspired confidence. Its interpretation of the Constitution has been both dynamic and constructive. It has maintained a progressive and purposeful outlook and expanded the horizon of civil liberties. It has saved the basic structure of the Constitution by insulating it from the pressures of an 'excited and excitable' democracy and placed it beyond the amending power of Parliament.[44] Its intervention to prevent excesses of the Executive and Legislature has not been infrequent. It has allowed liberal use of public interest litigation to pronounce on the issues of social and environmental significance. In short, the Supreme Court has attempted to make the Indian society more humane, enlightened, open, stable and sensitive. It has, to some extent, given meaning and content to both fundamental rights and 'directive principles of State policy'.

Of late, the Higher Judiciary has been very active. Hundreds of public interest writ petitions are entertained by the Supreme Court and the High Courts and scores of salutary orders passed, directing the executives to discharge its obligations under the Constitution and the laws.

No Real Improvement

This activist role of the judiciary is laudable, particularly when non-performance of the executive, either under the pressure of vested interests or on account of narrow personal or political considerations or due to general inefficiency and corruption, has become very much pronounced. But all this has not resulted in any real improvement. The Executive remains as slothful as before and the Legislature as disinclined to put the right kind of pressure on it. And at the same time – ironical as it is – the Judiciary has

[44]In a case of historic importance, known as Swami Kesavananda case (March 1970-April 24, 1973), the Supreme Court ruled that the power to amend could not be interpreted as power to destroy, that a creature of the Constitution, Parliament, could not increase its own constituent powers by altering the essential features of the Constitution, and that tyranny and despotism could not masquerade as constitutionalism.

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shown little inclination to set its own house in order.

Let me illustrate this proposition by inviting attention, albeit briefly, to three specific cases. The first case pertains to a piece of government land in Sarojini Nagar, New Delhi, which is claimed by one Bhagmal, the second is known as the 'Maily Yamuna' case and the third as 'Polluting Industries – Closure' case. Each case brings out its own kind of infirmity of the judiciary.

(i) Bhagmal case

In the 'Bhagmal' case, ownership of a vast tract of government land is being challenged through a civil suit filed in 1968 in a District Court. During the proceedings, against an interlocutory order of the Additional District Judge, the Union of India filed a civil writ petition in the Delhi High Court on September 23, 1992. Arguments of the parties were heard on nine dates[45]. On September 08, 1998, judgement was reserved. It remained so for more than two and half years, when the Judge retired. The case had to be re-heard by another Judge. It is still pending. In the meanwhile, from 1968 onwards, that is, for about 34 years, Bhagmal has been deriving huge pecuniary benefits from the land by allowing 'kabari-shops' to come on it in large numbers. Prevalence of insanitary conditions on the site and general degradation of the environment around have been the two other unsavoury fallouts of the case, causing much nuisance to thousands of residents in the nearby colonies.

If, in a case involving the executive, a delay of this duration had occurred and if this case had come up before the High Court or the Supreme Court, it would have certainly passed the most damning strictures. But not much is said or done in the case of judicial delays. There is not even a semblance of accountability.

(ii) Maily Yamuna case

The 'Maily Yamuna' case reveals another kind of shortcoming of the judiciary – its reluctance to fully appreciate that sound

[45]These dates are July 15, August 6,7,11,17,21,25,28 and September 8, 1998.

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governance requires a coordinated approach on the part of three main components of the power-structure of the State – the executive, the legislature and the judiciary. In this case, on a 'public-interest writ-petition', the Supreme Court, since 1992, has been passing orders, directing the Delhi Government and its agencies to set up sewage treatment plants to ensure a flow of clear water in the River Yamuna. Having got exasperated by what it considered the inadequate and ineffective response of the Delhi Government and having noted, in the 'polluting industries closure case', the environment friendly attitude of the Ministry of Urban Development and its disposition to secure the implementation of civic laws, the Court brought that Ministry in picture in 2000. It asked it to submit a time bound programme for cleaning up of the Yamuna and also to indicate how the same could be implemented.

In compliance with the orders of the Court, a time bound programme was drawn up by the Ministry of Urban Development and furnished to the Court. While doing so, a number of key issues were raised. It was pointed out that the Yamuna could not be cleaned by putting up the sewage treatment plants here and there and many other items of work and complementarities were required to be performed simultaneously. And this required not only the functioning of various executive departments in unison but also the legislative and judicial authorities to ensure that the system worked in an integrated manner. Every component of the power-structure had to recognise that it was merely a part of an overall system and its approach must be holistic – cooperative and not obstructive, cohesive and not fractured.

It was also submitted to the Court that, in the prevailing conditions, the path of such a programme was strewn with so many uncertainties that it was extremely difficult, if not impossible, to make any firm commitment in this regard. The existence of as many as 872 Court 'stay orders' connected with the matters of land was specifically pointed out and a question posed: how could any precise programme be drawn up or any assurance held out for its timely implementation, when it was not known as to when

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these stay orders would be vacated and whether more such orders would not be issued.

It was emphasised before the Court that effective and timely implementation of most of the schemes connected with the Yamuna clearance project hinged upon the availability of land. It was on the lands that 62,000 jhuggi families had to be resettled after proper development. It was on the lands that sewer lines, to be put through the unauthorised colonies and other areas, would have to be laid down. It was, again, on lands that the approach roads and other infrastructure facilities would have to be built. If either the executive agencies or the judicial bodies took their own time in completing the acquisition proceedings or allowing removal of encroachments and illegal constructions, then the time limit indicated in the programme could not be adhered to.

The Court gave directions on practically every other issue except the above one. It chose to remain silent and ignore the inconvenient reality.

So far, the judiciary in India has shown a marked disposition to ignore the grave damage that has been caused to the machinery of governance by the ever-rising tide of the 'stay orders'. They have not only rendered the machinery ineffective but also helped – unwittingly in most cases – the dishonest elements in the executive to cover their corrupt practices. At the time of the grant of stay orders, even elementary document, such as a copy of sanctioned building plan, is not asked for. After obtaining a stay order, the builder or encroacher, in collusion with the civic staff, so manipulates the matter that the Court proceedings are not finalized for years together. Whenever any senior officer or superior authority asks as to how illegal construction or encroachment is going on, the stock reply of the junior staff is that there is a stay order of the Court. On account of other work or general casualness or lack of commitment, the senior officer or superior authority, too, does not pursue the cases and secure vacation of the stay orders. In the meanwhile, political pressures are brought in, pleas of human and practical considerations are raised. And, in the end, the illegal

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buildings and encroachments remain. Craftiness and corruption win. Lack of coherence and coordination in the system costs dearly.

In this connection, it is both interesting and instructive to compare what I wrote on the subject 27 years ago in my book, *Rebuilding Shahjahanabad: The Walled City of Delhi*, and what I recorded in my notes after my two visits to the same area in 2001. In my book, published in 1974, I had written:

> The civic life of Shahjahanabad has been sapped by the predatory and selfish interests and the institutional framework has betrayed it. A number of residential katras, some of them beautiful and graceful, have been converted into commercial markets in defiance of civic law and all norms of civilized behaviour.
>
> The manner in which unauthorized conversions take place is more revealing and significant than the construction itself. The process begins by closing the doors of 'katras' from inside. The shops are constructed, through special contractors, in two or three days, working day and night. The lawyers are engaged beforehand, and a scheme of thwarting the law is prepared. When the municipal authorities serve notices under the Corporation Act, 'stay-orders' are obtained from the civil court, claiming that the construction is old. During the period of 'stay-orders', the walls of 'katras' are broken, and the shops are opened on the main streets and lanes. In accordance with a preconceived plan, these shops are sold clandestinely after obtaining, under the table, huge amounts in the shape of pugree. All the transactions take place in black-market. After occupation, the individual buyer of the unauthorized shops also obtains 'stay-order' from the civil court. All means are employed to prolong the court proceedings. Meanwhile, pressures are generated. Full advantage is taken of the tendency of senior officers to follow the line of least resistance. Ultimately, unauthorized markets come to stay. In some cases, sums as large as Rs. 25 lakhs are obtained as pugree. Hundreds

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of such cases have taken place and many more are taking place. But in no case, the offender has been brought to book.

On April 19, 2001, after a quiet and long two-hour early morning tour of the walled city, I noted:

> What I saw was really agonizing. Apart from the fact that the wounds which history had earlier inflicted on Shahjahanabad have deepened, I noticed that the landscape was being ravished and raped further by illegal constructions. When, after the tour, I enquired from the senior officers of the Corporation as to how illegal activities on such a massive scale, involving corrupt practices of various types, was going on, they advanced the plea of the stay orders given by the Courts.

On May 08, 2001, after another extensive tour of the areas around Jama Masjid, Parade Ground, Urdu Bazar and up to Kauria Bridge and Lajpat Rai Market, I recorded:

> What I saw was civic degeneration and chaos at its worst. From the ugly, precariously hanging, electric wires on the skyline and shabby structures even on the right-of-way of the roads, which blocked the view of the monument, I encountered only one vast spectacle of disarray, decay and disorder. There was no law which was not being violated with impunity. Let alone the road berms, metalled portions of the roads were occupied. The site of the area lying between the Jama Masjid and Netaji Subhash Marg, which I had myself got cleared years ago, was particularly depressing and would move even the most indifferent mind.

Clearly, the comparison of the observations made, at the interval of 27 years show, that the predatory forces continue with their rampage as in pre-reform period and also use the instrumentality of the stay order with the same brazenness as earlier. Judicial activism has not only not extended its arms to sweep its own floors but also failed to appreciate that the system of governance is an organic one and all its parts must function positively and in unison.

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In the backdrop of years of efforts to set matters right, I can assert with confidence that the functioning of the judicial system, particularly at levels lower than the Supreme Court, and its practice of issuing 'stay-orders' without much care and caution, has contributed no less to the prevailing chaos and confusion in our cities than the negative intervention of the politicians and inaction and corruption of the executive. "Is it not paradoxial to have justice object to such steps as endeavour to bring justice into a just situation?"[46]

In the course of one of the hearings of the 'Maily Yamuna' case, the Supreme Court asked, in anger and anguish, as to how thousands of unauthorised colonies have come up in Delhi. I wish someone had suggested to it to order a judicial audit of the Court files dealing with the stay orders and their disposal. If any such suggestion had been made and judicial audit ordered by the Court, it would have certainly discovered a good part of the truth.

(iii) Polluting Industries' Closure Case

In the *polluting industries* case, the Supreme Court proceeded with a great deal of zest for enforcing provisions of the Delhi Master Plan. It ordered the closure of all noxious, nuisance creating and non-conforming industries and their shifting to the National Capital Region. Nothing could be more appropriate than this order. The Government of National Capital Territory of Delhi and the local agencies should have fulfilled their statutory obligations. But they did not do so for a long time. Parliament, too, showed no inclination to ensure that the executive performed its duty. The Supreme Court, therefore, rightly stepped in and passed the aforesaid order of closure and shifting.

Unfortunately, this sound decision was reviewed by the Supreme Court, when the vested interests resorted to agitation. The Court agreed to the relocation of the industries in Delhi itself. About 1200 acres of land in village Bawana, which was not an industrial area in the Master Plan, was ordered to be designated as such.

[46]Eliel Saarinen, *The City*; p.265.

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Thus, the malady, instead of being cured, worsened. Not only was additional industrial area added to Delhi but also a severe blow was dealt to the National Capital Region Plan. The industrialists, who had shown respect to the earlier orders of the Court, and deposited substantial amounts with the National Capital Region Planning Board for securing alternative plots in the National Capital Region, withdrew their deposits.

Even after Bawana area was designated as industrial for purpose of relocation, no concrete action was taken for about four years to develop it. In the meanwhile, more illegal industries, including the polluting ones, came to be established in the residential and other non-conforming areas, thereby increasing both the scale and complexity of the problem. A number of assurances were given to the Court, but practically none was fulfilled.

Exasperated, the Court, in its order of August 30, 2000, denounced the attitude of the State Government and local agencies, in these words:

> It appears that as of today, not a single direction issued by this Court has been implemented since the first order dated April, 1996.... The continued infraction of the law appears to be encouraged and this has given rise to vested interests who appear to be so powerful as to see that even the orders of this Court are not implemented. The state of lawlessness continues with impunity with complete disregard to the interest of overwhelming majority of residents who have to tolerate such illegal industries in their midst.

Again, in its order of September 12, 2000, the court said:

> One thing is quite clear that there is a systematic effort which has been made in seeing that this Court's orders are not implemented or complied with and somehow there is *in situ* regularisation of the polluting industries. In other words, the wrong doer should not be punished, but they should be helped to retain the advantage of their wrongful acts. There is obviously no will or effort either on the part of the National

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> Capital Territory or of the Municipal Corporation of Delhi in implementing and maintaining the rule of law. Under these circumstances, it will be appropriate that a nodal agency is appointed to ensure the enforcement of law. We, therefore, appoint the Ministry of Urban Development to act as a nodal agency. The said Ministry will create a Cell to see to the implementation of various orders passed by this Court as well as the implementation of the Master Plan. The nodal agency, so created, shall have all the powers under Sections 3(3) and 5 of the Environment (Protection) Act, 1986. It is clarified that all the local Governmental agencies and the industries shall cooperate to the nodal agency for the implementation of this order.

The extent of Court's unhappiness can be seen from the fact that it issued notices of contempt to the Chief Secretary, Government of National Capital Territory of Delhi and the Municipal Commissioner. On the other hand, the Court appreciated the role of the Ministry of Urban Development which, after being brought into the picture, by the Supreme Court, stood firmly in favour of shifting of polluting industries and speedy implementation of the Court's order.

As a Minister, I took the stand that three basic disabilities were attached to the industrial units – first, they had been set up without obtaining sanction, licence or legal authorisation; secondly, they had been established in residential areas; and, thirdly, they were polluting. In my statement to Parliament, I posed the question:

> In what type of Delhi do we want to live, and what type of legacy do we wish to bequeath to posterity and to our children and grand children? Do we want our city to become a junk-yard of unauthorised constructions, mirroring civic and moral chaos, or an orderly and disciplined capital of a Resurgent Republic, embodying values of justice and honesty on the basis of which we have often claimed a pre-eminent position for our culture and civilisation.

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I also pointed out:

> Delhi has already earned the dubious distinction of having become the third worst polluted city in the world. 50 million gallons per day of industrial waste is going into the Yamuna and what is seen flowing in it today is nothing but sewer and industrial waste. In Okhla alone, for instance, during March-April, 2000, the bio-chemical oxygen demand (BOD) level in the river was about 70 milligram per litre as against a standard of 3 milligram per litre, that is, 25 times more than the permissible level. If the present attitudes and practices persist, Delhi would run the risk of having as many as 30 million people in the next few years and becoming an ugly, unhealthy, unworkable and unlivable city. In the process, a fatal blow would also be dealt to the development of National Capital Region which comprise a substantial part of three important neighbouring states of Haryana, Rajasthan and Uttar Pradesh.

The Supreme Court appreciated my stand. In one of the hearings, the Court made the oral observation: "He seems to be echoing our words and is the only sane voice in the usual humdrum". But when I proceeded to secure the implementation of the Court orders, a tirade, from an extremely narrow political angle, was started against me, particularly by the leaders of the ruling party at the State level. Almost daily, through press statements, I was described as 'anti-people'. False propaganda was done through such misleading statements as these: "Ten lakh people would be rendered jobless. About 1,29,000 industries employing about 14 lakh workers would be affected because of hasty relocation. The Urban Development Minister will have to change his rigid stand." All in all, a highly surcharged atmosphere hostile to the functioning of the Nodal Agency, that is, the Ministry of Urban Development, was created. This was brought to the notice of the Court. But it chose to keep quiet on the issue. Later on, even the categories of polluting industries, as changed by a Committee set up by the Delhi government, was accepted.

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I was let down! My sincere and firm stand to secure the implementation of the Supreme Court orders, which amounted to no more than following what the Executive and Legislature had themselves put on the statute book, resulted in nothing but unashamedly false accusation of being dictatorial and my shifting from the Ministry of Urban Development, causing even other beneficial projects, such as the development of the River Front, laying down a green velvet from India Gate to this Front and the creation of Indraprashtha city in the shape of mounds, shrubs and trees in the rear of Purana Quila, to be left undone, and also causing much frustration to all those who had joined hands with me in an attempt to create a clean, honest and law-respecting capital, which could become a symbol of the reformist urges that the country and its governing machinery so badly needed. Tragically, despite the vast publicity that accompanied the case, Yamuna continues to flow as before with all the slush stuck to her bosom and with all the stink that she can spread. The illegal industries are functioning and unauthorised constructions and colonies are coming up with as much impunity as previously.

All this happened primarily because the Supreme Court refused to hit the nail on the head. It did not look into the real source of mis-governance and tackle the basic problem of narrow and nihilistic political exploitation of a purely civic issue. Judicial activism cannot make any worthwhile contribution in bringing about good governance as long as it confines itself to peripheral issues. The growing practice of issuing personal notices or asking the officers for personal appearance would be no solution to the problem of the low level of politics which is the fundamental issue. Judicial activism is no substitute for morality and maturity of the executive and the legislature and for their duty to secure implementation of the laws framed by them.

At the same time, I must make it clear that, with both the political executives and legislatures having surrendered their sense of justice to short-term political gains, the higher judiciary alone can ensure that the long-term interests of the nation are safeguarded and the executive authorities faithfully implement laws of the land. I *have no doubt that if the higher judiciary had not intervened in certain*

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cases, our cities would have been more disorderly, our environment more de-graded, our monuments more abused and our people more cynical than they are at present. The flaw that has been noticed in the practice of judicial activism is that the higher judiciary does not ensure that its orders are effectively implemented by the political executives and, in the event of default, the said political executives are held accountable, and that those who act justly are protected and encouraged. Blaise Pascal, the great political scientist has insightfully observed:

> Justice without power is unavailing; power without justice is tyrannical. Justice without power is gainsaid, because the wicked always exist; power without justice is condemned. We must therefore combine justice and power making what is just strong, and what is strong just.

In the overpoliticised atmosphere prevailing in the country at present, judicial activism must spread its wings and see to it that in the machinery of governance, the just are made strong. Admittedly, government by judges is not a healthy attribute of healthy governance; but it is necessary in view of the conditions obtaining today, when both the executive and the legislature are virtually abetting large scale infringment of laws which, ironically, they have themselves enacted. For the balanced functioning of the executive, legislature and judiciary we would have to wait for successful implementation of the proposals contained in the blue print for reforms unfolded in chapters XI to XIV.

Stultifying Patterns

The sum and substance of the position is that, as in the case of the Executive and the Legislatures, the overall working of the judiciary, both in the pre-reform and post-reform periods, has not helped the cause of good governance. Its performance at levels where it touches the common man most has been particularly disappointing! On account of long delays, its reputation has suffered to such an extent that even when a person with an absolutely just cause wishes to approach the court, his friends and well-wishers advise him not

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to do so and settle the matter by giving to the other party some concession or the other because the court case may not be decided in his lifetime. What has been equally disappointing is that the judiciary has failed to attend to the numerous contradictions with which its functioning is beset. For example, while in various 'public-interest litigation' cases, the Supreme Court and the High Courts have been passing orders which have the effect of protecting the environment and improving the quality of life, the subordinate courts and sometimes even the High Courts, have, by issuing 'stay-orders' and keeping them on for a long time, been persistently frustrating whatever little efforts are made by the executive authorities to save the environment and check the predatory forces.

On balance, the conditions have deteriorated at the ground level, despite media-hype about 'landmark court decisions'; otherwise, how can one explain a continued rise of pollution in our water bodies, increasing hold of land and building mafias on our cities and ever-lengthening list of court arrears. Despite clear recommendations of the Law Commission, given in its fourteenth report (1958), neither the daily working hours have been increased to five nor any time-limit set for oral argument. It is amazing that the argument in Kesavananda Bharti Case lasted 69 days and hearing in JMM bribery case extended to 17 days. Much has been said on judicial reforms[47] *but little done in practice. By and large, "the legal institutions and legal actors", to borrow the expression of Justice P.N. Bhagwati, "have remained locked in stultifying patterns."*

SEMI-OFFICIAL AND NON-OFFICIAL BODIES

It is not the governance machinery of the government alone that has not performed well. The semi-official and non-official bodies have fared no better. As an illustration of the functioning of the semi-official bodies, I would take up the case of Rajghat Samadhi

[47]For details, see chapter XIII.

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Committee, and for illustrating the functioning of non-official bodies, the case of the Indian Council of World Affairs, popularly known as Sapru House, would be scanned by me.

Rajghat Samadhi Committee

Here, on January 31, 1948, Mahatma Gandhi, the father of the nation, was cremated, after he was assassinated, a day earlier, by a youth, Nathu Ram Godse, as he was about to commence his evening prayer-meeting at Birla House, New Delhi. Soon thereafter, a memorial – Samadhi – was built at the spot in the shape of a raised platform of polished black marble, with the words, "Hey Ram", engraved on it. A low enclosure surrounds the platform. An eternal flame burns at the Samadhi. All around, there is a vast green complex.

The memorial was designed to serve as a monument of simplicity, serenity and spiritual elevation and also as a symbol of all the great values which Gandhiji preached and practised. But design is one thing and its care and upkeep another. The management and maintenance of the Samadhi was entrusted, under the Rajghat Samadhi Act, 1951, to a Committee on which dominant representation was given to eminent Gandhians. For this purpose, an annual grant is made by the Central Government to the Committee.

On February 15, 2001, the *Hindu*, a national daily, carried a report, titled: 'Dark Days at Gandhi Samadhi'. This report read:

> The black marble slab covering the final resting ground of the Man of the Millennium has developed cracks. And this is no exception but the rule at the Raj Ghat Complex that is fast deteriorating... Gradual disappearance of the famous spongy "Raj Ghat grass" has gone almost unnoticed and so have the cracks in Mahatma Gandhi's "samadhi" besides a similar chink in the stand of its eternal sacred flame... The Mahatma's teachings – engraved on the walls of the "caves" around the samadhi in various Indian and foreign languages – are fast wearing out and many of them have already disappeared...

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> No less shocking is the fact that the central cenotaph, partially damaged by a miscreant some years ago, is yet to be replaced. Instead, a new black slab has been pasted... Over the years a large number of stones have crumbled resulting in sand and mud coming down the samadhi during rains... Worse is the presence of a large number of touts and hawkers... A substantial amount of the annual grant of Rs. 90 lakhs allocated by the Union Government for the samadhi is spent on meeting establishment costs and paying salaries... The underground water pipeline has also aged and needs to be laid afresh... Even the mechanism for information dissemination is badly in place. A large number of foreign tourists visiting the samadhi complain about the absence of adequate information about the "Man of the Millennium"... There are no brochures or leaflets giving a brief description of Gandhi or the samadhi.

Though, as a Minister, I had nothing to do with the affairs of the Rajghat, its management being in the hands of non-officials, I was much disturbed. I thought that there might be an element of exaggeration in the report. To assess the conditions personally, I decided to visit the Complex. What I saw during my visit was far more deplorable than the *Hindu* report had indicated. The following note, which I recorded after my visit, speaks for itself:

> The conditions prevailing at the Rajghat Samadhi would incense any sensitive person who has regard for Gandhiji's emphasis on cleanliness and also on internal and external orderliness... There are stray dogs and cattle and free trespassing by all sorts of persons, including hawkers and 'khomchawalas'. They come right up to the main Samadhi and spread dirt and insanitation all around. A number of early morning walkers, who spotted me, complained against the 'chowkidaars' of the Rajghat Samadhi Samiti, who did nothing to check anti-social elements and their undesirable activities throughout the day. They said that even scooters and cars enter the Samadhi Complex from the side of Kisan Ghat and come

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right up to the lake between the Samadhi and Shanti Vana. The police and Samadhi staff took bribes. A social worker of Darya Ganj, Shri Shyama and his companions told me that they were often witnesses to the revolting scene of eggs of the ducks being eaten on the embankments of the artificial lake by stray dogs... The water bodies like canals and lakes have not been cleaned for years. In and around all of them, slush has accumulated and plastic bags are stuck thereon, causing foul smell all around. In these bodies you can see reflection only of the stinking mind and sinking values of the society... I noticed a few persons doing exercises very near the eternal flame... Most of the lawns have become uneven and have a number of dry and grey patches, due to crossing of the pedestrian from all directions. The stones of the mound have become loose. The entrance is cluttered up with all kinds of signages and presents an ugly spectacle.

Subsequently, a few photographs which showed that during the rains, the approach paths, excepting those used by the VIPs, remained under knee deep water, were given to me.

Nothing could be more agonising than what all I saw. I shared it with the Prime Minister who approved of my suggestion that I should assume the Chairmanship of the Rajghat Committee and take measures to improve the conditions. A lot of improvement, later on, did take place. But this is besides the point. *The issue here is about the functioning of the non-official bodies. Are they in any way better than Government organisations? Are they not afflicted with the same maladies from which Government departments suffer? Is their staff less casual than that of Government or municipal organisations?*

Sapru House

The case of the Indian Council of World Affairs – Sapru House – indicates the depth to which most non-official bodies generally sink these days in misgoverning public institutions. It shows how certain elements have debased and degraded the public life in India and how a small caucus, through manipulation, intrigue and misuse

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of the Societies Registration Act, could establish a fiefdom over a place of learning and research which had been set up on Government land, leased on a nominal amount, and mainly with public funds.

The Indian Council of World Affairs was established in 1943 as a Society under the Societies Registration Act. Its affairs were conducted by such learned and eminent publicmen as Sir Tej Bahadur Sapru, Pt. Hridaynath Kunzru, Prof. Appadorai, etc. It ran very well for 38 years. From April 1981, unfortunately, it fell into the hands of a local politician.

The politician virtually hijacked the institution. He admitted a large number of illiterate and semi-illiterate persons, as members. In utter violation of rules, payments were made for a group of members through single cheques. Having manipulated the electoral base, he got himself elected, term after term, and also altered the Memorandum of Association and increased the tenure of elected members from three to six years. A number of complaints were received from well-known academicians and scholars. Articles and editorials also appeared in leading dailies, severely criticising the politician and his coterie. Scholars and men of standing in public life left the Council in sheer disgust.

Academic environment was wholly polluted and the conditions deteriorated sharply. On May 25, 1986, the *Hindustan Times*, after a detailed investigation, published a report, titled 'A shattered dream?' The report, *inter alia*, said:

> What happened to the Indian Council of World Affairs is a reflection of the Indian reality, where a group of petty politicians shatter the dreams of the community for their personal empire building. The tragedy is that the organisation has gone downhill... In the sixties, if India Gate was the geographical landmark of the Capital, Sapru House was the landmark in the cultural and intellectual life of the city. In the years immediately after Independence, the ICWA provided a forum for visiting dignitaries like Ho Chi Minh, Chester Bowles, Dag Hammarskjold and Arnold Toynbee. Today it is

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better known for bawdy theatre parading in the name of Punjabi culture, kabaddi matches organised by petty traders, lavish wedding parties, and various suspect activities.

In the late eighties and early nineties, the Government of late Shri Rajiv Gandhi as also of Shri V.P. Singh made attempts to rescue the institution by declaring it as an institution of national importance. The line of thinking that prompted the two Prime Ministers to make these attempts was as follows:

> For the last several years, the Indian Council of World Affairs has been in terrible shape with heavy financial arrears and a sharp deterioration in its academic excellence. This is primarily because Institute's leadership was hijacked by individuals who sought to use it only as a platform for politics. The President of the Indian Council of World Affairs, registered bogus members so as to capture the Executive Committee. Government should take remedial measures to restore the Indian Council of World Affairs as a premier institution, remodel its constitution to safeguard against hijacking of it in future by vested interests.

Unfortunately, these attempts failed on technical grounds and for want of sustained efforts. Subsequent apathy and indifference for about a decade caused further deterioration.

I visited Sapru House on April 04, 2000. I was aghast to see the conditions prevailing therein. It appeared as if the entire area had been subjected to years of criminal neglect and wantonly ravaged. The library which once used to bustle with scholarly activity wore a deserted look. Not a single reader was there. The staff sitting at the counter had hardly anything other than a few dirty shelves and scattered newspapers around them. The chairs were broken and quite a few of them had not even wooden or cane seats. The stench from the toilet and urinals, particularly near the staircases was insufferable, and would shame even the worst of Delhi slums.

Notwithstanding the strongly entrenched position of the local

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politician and his coterie, their capacity to secure a political cover by way of plantation of imaginary fears, and their craft of misusing the judicial processes and resorting to intimidation and character-assassination, I made a determined effort to resurrect the institution and reweave a shattered dream. But that is not the story that I want to deal with in this section. For my purpose here, all that I wish to underscore is that *there are factors and forces that subject non-official bodies to misgovernance as much as they do to government institutions. In this case, the 'Lord of Misrule' continued to hold the affairs of an institution in his clutches for over two decades. Practically, every right thinking person in this country denounced it. Pages after pages were written in the press. But nothing concrete was done, highlighting once again that in this country, there is no dearth of hand-ringers and critics but hardly any one who is willing to stand up against the rising tide of malfeasance in the affairs of our institutions, governmental and non-governmental. We, as a nation, have totally forgotten that "the only thing necessary for the triumph of evil is for good men to do nothing."*

Corruption

The evil which has done the maximum harm to the machinery of governance in India is corruption. This evil, as I have shown in Chapter VI by quoting from the correspondence between D.P. Mishra and Sardar Patel, has been with us from the days of our independence. Since then it has been fast increasing. The extent to which it has spread can be seen from the fact that when in 1997 government introduced Voluntary Disclosure Income Scheme for a short period, as much as 33,700 crore surfaced. This was equivalent to about 3 per cent of the GDP, though it pertained to a small fraction of total black money floating in the country. The current conditions are truly reflected in the following report of *The Statesman* of October 21, 2004:

> India is not only a corrupt country. It also refuses to shed the dubious distinction. A report prepared by Transparency International has ranked India 90th in the annual global

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corruption index released today. The country is among the top 55 corrupt countries of the world.

Comparisons with the previous TII report show that Pakistan has done more to clean itself. The Corruption Perception Index 2004 Report gives India a score of 2.8 on a scale of zero to 10 with zero indicating the most corrupt country. Pakistan has improved its score from 2.1 in 2002 to 2.6 this year, while India has bettered its score by only point one, from 2.7 to 2.8. China's score improved from 3.4 in 2002 to 3.5.

TII chairman, Admiral (retd.) Tahiliani said bribery in government procurement, related contracts and other activities cost the Indian taxpayer a whopping $7,000 million.

Finland, New Zealand and Denmark were rated as the least corrupt of the 146 countries surveyed, with scores of 9.7, 9.6 and 9.5. Iceland scored 9.5.

Corruption is a malady that afflicts almost all the institutions of governance in India. And it has been extending its tentacles in all directions, particularly after the fifties, despite loud and persistent public outcry against it and despite setting up of Central Bureau of Investigation, State Anti-corruption Departments, Lok Adalats, Vigilance Commissions and Directorates of Enforcement and Revenue Intelligence etc.

At the time of introduction of reforms in 1991, it was given out that 'licence-permit-quota raj' was at the root of corruption and its abandonment in favour of free market and privatisation would result in clean public life in India. But this has not happened. Corruption, on the other hand, has made deeper inroads into various walks of life. The 1990s, in fact, witnessed some of the worst scams in Indian history – the Securities scam;[48] the Urea

[48] The Securities Scam extended to several banks, stock-exchange, brokers and chartered accountants, Harshad Mehta, a stock broker, was its linchpin. Several hundred crores were siphoned off. For detail of this scam, section dealing with corporate governance of chapter XIII may also be seen.

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scam;[49] the Fodder and Bitumen scams[50] etc. The Securities scam alone is considered to be fifty times bigger than the most notorious corruption case of the pre-1991 period, namely, the Bofors case. In the post-1991 period, Non-Banking Finance Companies alone have swindled 30 million small investors. In this period, there has been a virtual epidemic of scandals.

Prime Minister, Atal Behari Vajpayee, in his address to CBI officers, on August 26, 2002 rightly pointed out: "After liberalisation of our economy, there has been a spurt in financial frauds, bank and stock-market scam, money laundering and cyber-crime, running into hundred and thousands of crores of rupees."

Even temples of justice, such as the courts, and citadels of fairness, such as the Public Service Commissions have not been spared. Two of the Chairmen of State Public Service Commission, one of Punjab and other of Maharashtra, have recently been arrested on charges of large scale malpractices. With regard to the judiciary, former Supreme Court Chief Justice B.N. Kirpal, in his address to the First South Asian Regional Judicial Colloquium, on November 2, 2002, said: "There are instances when corruption and incompetence have prevailed in judicial establishments." His predecessor, Justice S.P. Barucha, in December, 2001, also spoke in the same vein: "About 20 per cent of the judges in the courts are corrupt." On August 2, 2002, the Supreme Court, in a case – K.C. Sareen vs. CBI – observed: "Corruption among public servants has now reached monstrous dimensions in India. Its tentacles have started grappling even the institutions created for the protection of Republic."

The functioning of the recently set up regulatory commissions, under the liberalised regime, has also given rise to apprehensions that they may be manipulated by big business and the

[49]The Urea Scam involved the then Prime Minister, P.V. Narasimha Rao's two sons, namely, Prabhakara Rao and Rajashekhara Rao. An advance of Rs. 130 crore was paid for urea which never arrived in the country.

[50]The Fodder Scam pertained to payment of Rs. 1200 crore by Chief Minister, Laloo Prasad Yadav's government for non-existent fodder.

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multinationals. The Telecom Regulatory Authority, immediately after being constituted, undertook, at huge public expense, a world-wide study tour, causing several eyebrows to be raised in the public.[51]

The cricket-match-fixing scandal of 1990s shows how the growing virus of corruption has numbed the individual's conscience, and how even persons who have no dearth of money, have acquired bottomless cupidity and compromised national honour and prestige. The 1993 Mumbai blasts and subsequent riots, which caused the death of over 300 persons, were facilitated by the corrupt deeds of custom officers who connived in the smuggling of lethal weapons and explosives from West Asia. Crime syndicates, fuelled by corruption money, have often resorted to contract killing and even caused bloody riots. The safety of the individual as well as of the society and also the security of the State have become highly vulnerable, and are continuously under threat. But for corruption, which manifests itself in such deals as 'hawala' and trafficking in illegal weapons, the menace of terrorism[52] would not have assumed such sinister dimensions as it has done.

The financial system and certain other strands of globalised economy have been exploited by the corrupt elements to spread their wings far and wide and create strong nests of power in business, bureaucratic, and political circles, both within and outside India. The few persons in authority who are honest and also committed to make the State and the society honest are getting marginalised and losing power to influence the course of events in any meaningful way. That is why criminalisation of politics has been on the increase, and bureaucracy, even at its higher echelons, is getting more and more crafty and acquiring a larger and stronger foothold to pull strings of the power network in a direction that suits them.

The menacing clouds of corruption have been creeping up the

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[51]For details of this case, section dealing with Regulatory Authorities in chapter XIII may be seen.

[52]For details, see three Chapters (IV-VI) on 'Roots' and also the Chapter X, titled: 'Nature and Pattern of Subversion' in the author's book, *My Frozen Turbulence in Kashmir.*

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national horizon so fast that, even premier institutions are coming under its shadows. According to the Election Commission of India, "about 500 to 800 elected representatives today have criminal antecedents and money, muscle-power and mafias play an unhealthy role in our elections... Even convicted criminals are taking part in elections and getting elected to legislatures."[53] It would be no exaggeration to say that corruption in India is getting institutionalised. Our urban local bodies, for example, have virtually become dens of every administrative vice that can be conceived of. Neither elections nor supersession have helped in improving matters.

The Bofors[54] scandal typified the malignancy of corruption in pre-1991 and Tehelka[55] scandal in post-1991 India. In fact, after the 'reforms', with the Indian society acquiring a deeper hue of materialism and consumerism and with increasing disposition of the individuals and the corporate bodies to amass largest amounts of wealth in the shortest time, corruption has become all the more pervasive.

Unfortunately, in quite a few sections of society, particularly trade and industry, corruption is now being looked upon as an essential element of the culture of success. Honesty is considered as an abstract virtue, of little practical value, and integrity is often sneered at. Long-term consequences of corruption – debilitating and destabilising, as they are in many respects – are being pushed to

[53]Quoted from the speech delivered by Shri K.R. Narayanan, President of India, while inaugurating the Golden Jubilee Celebrations of the Election Commission on January 17, 2001.

[54]This scandal concerns a large arms-sale-deal in 1986 between the Swedish company, Bofors, and the Government of India. It was alleged that for securing the contract about Rs. 64 crore was paid as bribe to no less a person than the then Prime Minister, Rajiv Gandhi, through his close relatives and friends. The case, investigated by the CBI, is pending in the Court.

[55]The Tehelka scandal revolves around video-taped interviews, recorded surreptitiously, which show that persons occupying high positions in politics and bureaucracy were susceptible to corruption. These video-tapes were made public at a press conference on March 13, 2001. The scandal, presently, is under investigation by the Justice Venkataswami Commission.

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the background. In the flush of success, it is being forgotten that "the scarlet thread of bribery and corruption, which flourishes as luxuriantly as 'bush and weeds', actually takes the goodness from the soil, and suffocates the plants which provide true progress and prosperity to the State and the society."

Corruption is like a malignant tumour that spreads its roots in every nook and corner of the body-politic. It contaminates the blood streams of the nation. No institution, public or private, remains free from its deadly consequences. It corrodes the conscience of the functionaries of the state to such an extent that they even think nothing of slicing off a good part of public money meant for the welfare of the poorest of the poor. It distorts economic growth, undermines social stability, kills the faith of the people in fairness and justice, weakens the overall moral fabric of the nation and takes it to decline and destruction. Scandals and scams have brought down some of the strongly entrenched political leaders. And history tells us that almost all civilisations have perished not by external invasions but by internal corruption.

The dangerous consequences of corruption are frequently talked about in our country. But efforts to avoid them are largely confined *to words and rarely extended to deeds; otherwise, how could one explain the continued accumulation of black money, rapid growth of mafias, rise of well-paid and well-organised crime and plethora of public scandals. The scenario has become so corrupt and confused that there is corruption even in making allegations of corruption.* False and motivated complaints are engineered against honest men and women and they are brow-beaten into submission or silence. It is made to appear that 'foul' is 'fair' and 'fair' is 'foul' and truth and honesty are a liability and not an asset. Perversion could not, perhaps, have struck deeper roots in our value system. And this perversion has another adverse fall-out. Fear of false complaints has caused what Paul Appleby called "excessive bureaucracy" in India, a tendency to shirk responsibility, "forcing decisions to be made by a slow and cumbersome process of reference and

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conferences in which everybody finally shares dimly in the making of every decision."

While dealing with the causes which led to increase in corruption in fifties and early sixties, the K. Santhanam Committee[56] (1964) had observed:

> Various factors have operated to nullify in some measure the anti-corruption drive. The quest for political power at different levels made successful achievement of the objective more important than the means adopted. Complaints against the highly placed in public life were not dealt with in the manner that they should have been dealt with if public confidence had to be maintained. Weakness in this respect created cynicism and the growth of the belief that while governments were against corruption they were not against corrupt individuals, if such individuals had the requisite amount of power, influence, and protection. Social controls resulting in the maintenance of frugality and simplicity of life were replaced by those encouraging materialism, status craving, greed for money and power, and an unwillingness to adhere to moral values.

Referring to the role of business and industry, the Committee said:

> To these, corruption is not only an easy method to secure large unearned profits but also the necessary means to enable them to be in a position to pursue their vocations or retain their position among their own competitors. It is they who maintain an army of liaison men and contact men, some of whom live, spend and entertain ostentatiously.

[56]This Committee, named after its Chairman, late K. Santhanam, MP, was set up by the Government of India in 1962, following serious concern expressed by a number of Members of Parliament on the issue of corruption in administration. The Committee submitted its report in 1964.

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About the part played by the contact-men, the Committee was no less forthright: "The tendency to subvert integrity in the public services instead of being isolated and aberrative is growing into an organised, well-planned racket".

How valid are these observations even today! How truly has the committee sketched the causes and sources of corruption! And how relevant its report is even after 40 years, to both pre-1991 or post-1991 period! This is primarily because nothing was done, in either of the two periods, to tackle the fundamental cause which was pin-pointed by Dr. S. Radhakrishnan, the then President of India (13.05.1962 – 13.05.1967), at the time the Committee's report was being discussed in public: "Moral life is shaken to its foundations. Love of wealth and power has gained wide acceptance. Most of us live on the surface of life with no moral earnestness."

On the other hand, during both the aforesaid periods, corruption in India has been rationalised, and even rewarded on grounds of practicality. Under the Voluntary Disclosure Schemes, for example, honest tax-payers were made to pay more than the dishonest ones. With the principled governance and morality being so cynically disregarded and with deeper consequences of such 'practical' decision forgotten, corruption in India was bound to be perceived as a "low risk and higher profit business". The corrupt is neither afraid nor ashamed to display his ill-gotten wealth. In this connection, it may be relevant to invite attention to a significant observation made by the Supreme Court in a recent case: "We cannot turn our eyes away from the fact that because of the mad race of becoming rich and acquiring properties overnight, cancerous growth of corruption and illegal gains or profits has affected the moral standards of the people and all forms of governmental institutions."

What is worse, a sizeable part of the corruption-money has been moving from 'wheels' to 'wings' and flowing out of the country in the foreign accounts of individuals. The nexus between the unscrupulous business, banks, brokers, bureaucrats and politicians

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is getting stronger by the day. The various bodies set up seemingly to expose and break this nexus have, more often than not, been concerned with covering rather than catching the culprits. In containing corruption, shadow boxing has been more at display than solid and result-oriented measures. The earnestness of approach can be gauged from the fact that the Benami Transaction (Prohibition) Act, 1988, has not been notified for enforcement even after 16 years of its enactment by Parliament.

For elimination of corruption, what matters most is the moral and social climate of a country. If this climate is healthy, dry and dirty bushes would not come about. The soil would support greener pastures which would throw up upright and earnest people who in turn would choose upright and earnest leaders. One would reinforce the virtues of the other. And the nation would move from clean to cleaner public life, from strength and stability to greater strength and stability. It is this issue of a moral climate that has been totally ignored by the State and the Society. That is why, despite governments 'humming' and 'hawing', legislatures passing several laws and judiciary's frequent angry outbursts, the caravan of corruption has gone on, daily swelling its ranks, adding to its length and breadth, front and rear.

No New Spark : No Resplendent Dawn

In the opening paragraph of this chapter, I had posed a few basic questions: Whether the reforms have made the Executive more efficient and effective, Parliament more sensitive and responsible, Judiciary more focussed and purposeful; whether they have resulted in better economic productivity and injected in the governance machinery a higher motivation and commitment. The facts brought out in this chapter provide answer to these questions.

The reforms have largely proved illusory. In fact, to call the post-1991 period as a period of reforms is a proof only of superficiality of approach to the grim and grave problems facing the country. The reforms have not created any new spark in the nation or made our public life

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more clean and honest or strengthened any of the fundamental planks of the governance machinery.

Indisputably, the position of India with regard to foreign exchange reserves has improved dramatically and its general rate of economic growth has been impressive. But even today India has the largest number of poor, largest number of illiterates, largest number of mal-nourished, people in the world. Out of 150 million children in the world who do not attend school, 130 millions are Indians. About six out of seven women are illiterate. About 640 million Indians do not have access to sanitations, about 170 million to safe water and about 293 million to health services. Indian cities are amongst the most indisciplined and they have the largest number and the worst slums of the world. India has the highest rate of road accidents per 1000 vehicles in the world. About 40 per cent of its fruits and vegetables is wasted during its journey from the field to the consumer. As compared to China's per capita income of about $990, India's per capita income is $440. India's annual food grain production is about 206 million tonnes while China's is 410 million tonnes, though India's cultivable area is double than that of China. India formulated its population policy in 1952 and started executing it immediately. China did so in 1970. Yet India's birth rate is 300 per cent more than that of China. Its cultivable land per person has come down from 0.21 hectare in 1960 to 0.10 hectare in 1990. India has more than 300 million people below the poverty line, China has just 30 million. India's ranking on UNDP's Human Development Index continues to be poor. According to its latest report, even Bangladesh has done better than India in the arena of infant and maternal mortality and school enrolment.[57] Out of its population of about 1 billion only 12 million are tax payers. India is still reckoned as one of the most corrupt nations in the world.

Clearly, this is not the dawn which we had wished for a free India – a dawn that has been badly disfigured by the dirty, thick and ever-

[57]In 1990, India had an infant mortality rate of 80 per 1,000 live birth, compared with 96 in Bangladesh. Today, the ranking is reversed : 67 in India and 51 in Bangladesh.

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lengthening patches of inner and outer corruption and social and moral sickness. Both the pre-1991 and post 1991 periods have experienced suffocating weather. A strong and refreshing breeze that could blow away these patches and usher in a resplendent dawn has yet to come. The liberation of the Indian mind and soul has yet to occur.

X. Reality on grounds:
Even Bangladesh has done well. India lags behind -

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CHAPTER VIII

URBAN GOVERNANCE

In the city, humanity attains its most complete development and its most brutish, too; here civilisation works its miracles, and the civilised man is also turned back into a savage.

ALEXIS DE TOCQUEVILLE[1]

It is in the cities, towns and hamlets of the new urban world that the majority of us will live and work in the new century where most of the pollution will be generated and natural resources consumed, where political and social conditions are likely to boil over in conflict and where, ultimately, the roots of global security – true human security – will lie.

U.N. COMMISSION FOR HUMAN SETTLEMENTS

In what type of Delhi do we want to live, and what type of legacy do we wish to bequeath to posterity and to our children and grand children? Do we want our city to become a junk-yard of unauthorised constructions, mirroring civic and moral chaos, or an orderly and disciplined capital of a Resurgent Republic, embodying values of justice and honesty on the basis of which we have often claimed a pre-eminent position for our culture and civilisation?

AUTHOR'S STATEMENT IN PARLIAMENT[2]

The above three quotes explain why I have considered it necessary to write a separate chapter on Urban Governance. Apart from the fact that the future of the world is urban and the city in the coming years would become a 'test bed' for adequacy or otherwise of our

[1]This observation was made by Alexis de Tocqueville while surveying the city of Manchester, England, in the nineteenth century.

[2]This is an extract from the statement made by me in Parliament, as Minister of Urban Development, on November 24, 2000. This was approvingly quoted by the Supreme Court in its judgement of May 7, 2004, in the case, M.C. Mehta vs. Union of India, ordering shifting of illegal industries from Delhi.

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political and social institutions, no study of the current culture of governance in India can be taken as complete without an in-depth examination of issues concerning urban governance, because manifestation of this culture finds its most focussed expression in the landscape and mindscape of our cities. Here, we can see more clearly than anywhere else how moral chaos and confusion is creeping, like cancerous cells, into the soul and structure of our governance, how a corrupt coalition of selfish elements from politics, bureaucracy and citizenry is rapidly extending its sway over civic and national affairs and how even the top leadership of the country remains ignorant or unmindful of the volcanic eruption that the continued accumulation of urban problems could cause in our social and political set-up.

Moreover, the current world economic order and the pattern of economic development that is being followed by the developing countries like India, if not reoriented, is bound to result in unhealthy and unsustainable super-urbanisation.[3] We would witness not only mega-cities of about 8 million or hyper-cities of 20 million or more but also villages turning into semi-urban settlements and second-tier cities becoming larger ones with virtually no civic amenity. This super-urbanisation would be accompanied by super-impoverishment of the urban poor who, according to researches conducted by the UN Urban Observatory, could by 2020 constitute as much as 50 per cent of the total population living in cities. A new social class of informal sector workers whose living conditions are marked by "low status, low wages, long hours, and insecure habitats", has emerged on the scene and is fast increasing. "As a result of liberalization", says 'The Challenge of Slums—Global Report on Human Settlements, 2003', "the cities of developing countries have become a dumping ground for a surplus population working in unskilled, unprotected and low-wage informal service

[3]This phenomenon of super-urbanisation and super-impoversihment of the urban poor, which would gravely undermine the governance capacity of the developing countries, has been elaborated by me in chapter IX. It may be referred to.

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industries and trade". The city of the developing world faces today one of the most awesome tests in our history.

Vicious Circle

In essence, the cities are the spiritual workshops of the nation. They mirror the mind and motivation of the people. "Show me your cities and I will tell you about your cultural aims" goes an old saying. Invariably, the cultural fault-lines get imprinted on the faces of cities and determine their fate and future.

The face of a city is really the face of a civilisation in which it exists. For example, Delhi has always appeared to me less as a growing metropolis than as a civic entity which shows all major facets of the present-day Indian civilisation – a confusing mix of contradictory values and a queer combination of antiquity and modernity, oscillating between the two worlds, "one dead and the other powerless to be born." Thousands of sleek cars that compete furiously with 27 different modes of transport for the limited road space in the Capital, its 100,000 rickshaws and carts and its recklessly driven private and public buses are symbols not only of a chaotic traffic but also of the chaotic mind of Delhi.

Cities shape civilisations and are also shaped by them. They are so inextricably enmeshed that it is impossible to view one without the other. The diseased and dehumanised civilisations are bound to give birth to the sick and soulless cities, which, in turn, add to the debasement and disorientation of civilisations. Mutual infirmities get reinforced. A vicious circle comes into being.

It is in this vicious circle that the tragedy of the present-day urban India basically lies. The 'Dickensian' blight and haze that hang over our cities today and the slums and squatters, the dirt and dross, that we see all around them are nothing but a combined product of our civilisational flaws and flaws of our cities.

India's urban governance machinery has turned a blind eye to the deep linkages that exist between civilisation and cities and done nothing to clean up and purify the civilisational current that flows underneath the surface of our cities. Nor has it understood, in any

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meaningful sense, the various grim challenges that the worldwide phenomenon of fast urbanisation is throwing up. The special features of the Indian urban scene, such as the simultaneous growth of population both in urban and rural settlements, too, have been overlooked. So is the position with regard to the need for enforcing strict urban discipline, making the implementation machinery effective and locating new financial, technical and managerial resources. All in all, this has been a case of poor vision, indifferent understanding and colossal casualness.

Stony Rubbish

Consequently, urban governance today has become, to quote T.S. Eliot:

> Shape without form, shade without colour
> Paralysed force, gesture without motion...
> What are the roots that clutch, what branches grow
> Out of this stony rubbish?

Before I indicate the quantum and constituents of this 'stony rubbish', let me spell out briefly two important aspects of the contemporary scene: (i) the nature of the fast urbanising world and its consequences and also its historical context, and (ii) the urban conditions that presently obtain in India and the trends and attitudes that have caused them.

FAST URBANISING WORLD

The twentieth century has been called the age of urbanisation. At its commencement, the world was predominantly rural; only 8 per cent of the population lived in urban settlements. By 1950, the percentage had risen to 29 and by 1990 to 45. It is estimated to be around 50 at present.

It could be stated with a fair degree of certainty that the world of the 21st century would be an urban world. Between 1950 and 1990, the cities grew more than twice as fast as villages. The last decade, 1990-2000, saw an increase of about 83 per cent in the

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world urban population, and the cities have added, on an average, about 81 million people annually. In 1950, the developing countries had about 39 per cent of the world's urban population. By 1990, this percentage had gone up to 63; today, it is estimated to be 70. In these countries, the number of mega-cities,[4] without basic services, is rising at an alarming rate.

A recent report of the UN Centre for Human Settlement says: "At the beginning of the new century and millennium, the planet hosts 19 cities with 10 million or more people; 22 cities with 5 to 10 million people; 370 cities with 1 to 5 million people; and 433 cities with 0.5 to 1 million. Another 1.5 billion people live in urban areas of less than half a million people. The process of urbanisation will continue well into the 21st century and, by 2030, over 60 per cent of all people (4.9 billion out of 8.1 billion) will live in cities."

If the latest data[5] is looked at from a slightly different perspective, it would be noted:

> In 1950 there were 86 cities in the world with a population over one million; today there are 400, and by 2015, there will be at least 550. Cities, indeed, have absorbed nearly two-thirds of the global population explosion since 1950 and are currently growing by a million babies and migrants each week. The present urban population (3.2 billion) is larger than the total population of the world in 1960. The global countryside, meanwhile, has reached its maximum population (3.2 billion) and will begin to shrink after 2020. As a result, cities will account for all future world population growth, which is expected to peak at about 10 billion in

[4]In Africa, only one-third of all urban households are connected to potable water. In Latin America, urban poverty stands at about 30 per cent at present. In Asia Pacific, a mere 38 per cent of urban households are connected to sewerage systems.

[5]This data has been culled out from (i) The Challenge of Slums: Global Report on Human Settlements 2003; U.N.–Habitat; (ii) Population Information Programme; Population Reports: Meeting the Urban Challenge; (iii) World Urbanisation Prospect, 2001 Revisions; and (iv) Slums of the World: The Face of Urban Poverty in New Millenium; Global Urban Observatory.

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2050. And what is most disconcerting, 90 per cent of this alarming increase in urban population would occur in the developing countries. (Housing Problems)

To house a massive urban population and to meet its civic needs and its social and cultural aspirations and also to keep its environment healthy, is going to present to the human race one of the gravest challenges that it has ever faced. Already, shortage of housing in the world is alarming. As many as one billion are homeless. Even affluent societies are bedevilled by it. For example, a recent survey revealed that about 18 million people were homeless in the European Union. Another 900,000 were living in cheap, temporary accommodation. And yet another 15 million were occupying houses of very poor quality. In the United States, the number of 'shelter-beds' provided to the homeless in cities, having a population of 100,000 or more, tripled in the last decade. If that be the scale of homelessness in rich and technologically advanced societies, the conditions in poor and technologically backward countries can well be imagined. In these countries, tens of million are virtually roofless. Further, non-availability of basic civic services in them is causing serious health hazards. As many as 20 million urban children in the developing countries die every year of chronic diarrhoeal diseases consequent to drinking of water which is badly contaminated by human and animal waste, and about 600,000 persons are losing their lives on account of indoor air pollution alone. The heavy 'ecological foot-prints' of the cities on the land resources of countries are also casting their ominous shadows; they are consuming, on an average, about 2.3 hectares of land per urban person which is for above the sustainable level of 1.7 hectares.

To bring home the inherent complexity of the challenge that is being posed by the fast urbanising world, I may give an example of one of the major environmental problems that the present-day cities face in managing the huge waste that they create. It has been estimated that each American will bequeath 3900 times his own body-weight in debris to the biosphere; each West European 971 times. The USA alone generates 200 million metric tonnes a year

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– an amount "enough to fill a convoy of garbage-trucks stretching eight times around the globe."

The nature of the waste, which includes hazardous waste, is another grave problem. At present, about 367 kg of hazardous waste per person is being produced by the developed countries and 4 kg per person by the developing countries.

The management of this waste presents a serious problem. Nature imposes its inescapable "limits". If one limit is tackled, another limit appears. For instance, if solid waste is burnt, the limit of land, needed for dumping, may be overcome, but the limit of injecting foul air in the atmosphere comes in the way.

Affluent western societies have the technological, managerial and financial resources to meet the challenge. For instance, a great green mound has been created by New York city a little away from habitation. It is on the Saten Island which receives 17,000 tonnes of refuse from the city daily. It covers 3,000 acres and consumes 2.4 billion cubic feet of space, 25 times the volumes of the Great Pyramid at Giza. It is the largest "human-made monument" in the world.

The developing countries at the moment do not have problems of the same magnitude as the developed countries. But their cities, particularly the mega cities, are in the danger of being swamped by a deluge of waste. Apart from the huge quantity, they produce a wide variety of domestic and industrial waste, causing different kinds of air and water-borne diseases. The patients suffering from these diseases occupy about 80 per cent of the beds in the hospitals of these countries.

The scale on which garbage is produced in Indian cities ranges between 294 grams and 484 grams per capita per day, depending upon the functions and activities carried out. The scale on which it is disposed of ranges between 203 grams and 354 grams per capita per day.

Take the case of Delhi. It has about 1600 markets, each with hundreds of shops, and about 24,600 wholesale establishments. About 100 weekly markets are held on about 6000 make-shift shopping spaces, and 1,40,000 informal retail units also exist. There

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are 93,000 industrial units. About 10,000 electroplating industrial units cause a huge quantity of toxic waste. There are 80 hospitals and about 1000 nursing homes. Yearly, about 20 lakh metric tonnes of garbage is produced in the city.

Historical Context

When viewed in the historical context and in totality of the circumstances, the role of the city in shaping human civilisation would be found to be a mixed one. On the one hand, it has freed man from the conservatism of the village and enriched his life by imparting urbanity, civility and diversity to it. On the other hand, it has caused unspeakable squalor, ill-health, depravity and violence, and has depersonalised the citizen and given rise to a disruptive culture of guns, gangs and drugs.

The city produces a major portion of the nation's wealth. In India, for example, at present, 90 per cent of the government revenues and 60 per cent of the National Gross Domestic Product are contributed by the cities. But at the same time, they have inflicted grave damage to the countryside with their destructive 'ecological footprints'. They draw on the material resources of a vast hinterland. For example, Mumbai consumes as much as 5,000 tonnes of rural soil every day and its wood requirements deplete forests hundreds of kilometres away. And every day, 550 million gallons of drinking water is brought to it from over 150 kilometres.

The core issue which the fast urbanising world would have to face in the twenty-first century is how to draw the right kind of lessons from the past history of the cities and how to eliminate their negative aspects and improve their positive ones. There is little doubt that, with the emerging reality of globalisation, growing acceptance, willingly or under pressure, of a common economic ideology and rapid rise of new technologies and their convergence, the new world would be a confederation of cities, rather than of countries, which would be linked, like the nervous system of a human organism, through internets and would constitute a vast single web inter-woven with numerous but invisible threads. The

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distance would die. And space would be the common vehicle for human contact and communication. And if this new world has to have a firm foundation for peace and prosperity, and if its cities have to be free from the debasement, degradation and dehumanisation of the poorer segments, it has to treat itself as an integral unit and spread its resources evenly to all its confederating cities.

Currently, globalisation is causing highly uneven impact. Cities, as Kofi A. Annan has rightly observed, present some of the starkest contrasts. "Homeless people living in cardboard boxes, next to skyscrapers occupied by corporations whose budgets exceed those of many countries; growing gaps between the salaries offered by labour markets and the housing costs determined by urban land markets; enormous levels of consumption alongside great pyramids of waste that threaten the environment and human health; and hitherto unseen patterns of segregation, with pockets of wealth at the centre and vast enclaves of poverty on the periphery."[6]

THE INDIAN SCENE

India is no exception to the general trend of fast increase in the population of cities and the mind-boggling complexity of the problems that it is causing. Although the percentage of urban population to the total population has not risen sharply – it has moved from about 14 per cent in 1951 to about 28 per cent at present – yet in sheer number it has shown a very high increase. Presently, the urban population of India is about 300 million which exceeds the total population of India at the time of Independence.

During the last 50 years, India has, on an average, been adding about five to six million people to its towns and cities. There are already four mega-cities (five million plus), 19 metro-cities (one million plus) and 300 large towns, besides 3,396 small and medium-

[6]For the phenomenon of mounting disparities consequent to globalisation, see also chapter IX: titled *Contemporary World Order and Governance-Capacity of Developing Countries.*

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size urban settlements. The number of metro-cities is at present 40, and four of the Indian cities – Mumbai, Delhi, Kolkata and Chennai – are among the 30 largest cities in the world. A United Nations study of 1990 puts the Mumbai agglomeration as the sixth largest city of the world.

The Economic and Social Commission for Asia and the Pacific estimates that between 1990 and 2020, India would add 418 million people to its urban population. If the present densities are maintained, urban areas would be two and a half times more extensive than they are now.

A special feature of the Indian scene has been that the dramatic increase in the size of our metropolitan cities has not reduced the pressure of population or poverty in the rural areas. India is facing problems not only of 'teeming cities' but also of a 'teeming countryside'. The per capita availability of arable land in villages has been declining and the city-dwellers have continued to groan under spatial tyranny, particularly in the metropolitan towns. The average space occupied by an inhabitant in those towns is about 1/40th of the average national space available to an individual. Here, no site is too slushy, too filthy and too dangerous for a precarious huddle of huts to be put up and for human beings to dwell in them.

No Urban Vision : No Implementational Will

In the circumstances in which India was placed in August 1947, with all the burdens of colonialism and past injustices and inequities on its back, it should have evolved a clear urban vision. The immensity of the problem was known. During a visit to Turkman Gate, Delhi in 1954, Prime Minister, Jawaharlal Nehru, was so anguished by the spectacle of slums that he involuntarily cried out: "Burn them". He took a commendable initiative in getting the city of Chandigarh built. He also evinced a keen personal interest in the formulation of first Delhi Master Plan (1962). But all such measures were too inadequate to meet the manifold challenges that existed as well as the new challenges that were fast emerging. At the crucial turning point of history of independent India, it failed

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to acquire a clear, coherent and constructive urban vision; and whatever little was planned or thought of was sacrificed at the altar of poor implementation.

What do I mean by urban vision? Let me answer by inviting attention to the most ancient city of India, namely, Varanasi, about which Sherring has observed: "When Babylon was struggling with Nineveh for supremacy, when Athens was growing in strength, before Rome had become known, she had already risen to greatness." If, under an inspiring urban vision, the Ganga water had once again been made crystal clear, its 'ghats' had been rebuilt elegantly, if a vast green vista had been developed along the river front, if the temples had been renovated with an 'ancient touch' and provided with open spaces around, and if the excessive trade and industry had been relocated, Varanasi would not only have regained its glory and become a place for truly elevating the human spirit but also emerged as a thriving and a dynamic centre of modern civic life. It would have become a symbol of resurgent India, a signpost of its re-awakened mind. Now, in the absence of an elevating vision, Varanasi has lapsed into an abyss of filth, congestion and urban blight, holding unto its bosom, all the ugly by-products of a civic culture of apathy and indifference and with the winds of casualness and callousness blowing all around.

As regards implementation, it was, by and large, conspicuous by its absence. In this connection, I may give an example of the phenomenon of the slums. This is what the First Five-Year Plan said about the urban slums:

> These slums are a disgrace to the country and it is a matter of regret that Governments, both Central and State, have so far paid little attention to this acute problem. No city can be considered healthy which tolerates within itself the existence of a highly congested area. Slums are a national problem. From the national point of view, it is better to pay for the cost of clearing slums than to continue to pay the mounting cost of slums and suffer destructive effects upon human lives and property indefinitely.

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After about 57 years of this provision of the First Plan, what is the position? At least 33 per cent of the Indian urban population lives in slums which are as dreary and deadly as the old Jewish "ghettos". In metropolitan cities the position is still more disconcerting. For example, the percentage of the slum-dwellers to the total population is now 55 in Mumbai. This percentage rises to 80 if the population living in squalid and dilapidated *chawls* is taken into account.

About the pavement-dwellers, a recent United Nations publication says:

> They can be seen in most large cities in India. They are not a new phenomenon. An English woman who lived in Bombay (Mumbai) in 1920s, wrote of her shock and distress at the number of people for whom the pavements were the only homes. All that has changed since then is the magnitude of the problem. The present number of pavement-dwellers in Mumbai alone exceeds 250,000. In one word, almost all the families have been living on the pavements ever since their arrival in Bombay (Mumbai) 30 years ago. Half of them live in huts less than 5 square metres and 30 per cent use railway tracks as toilets.

In the capital, New Delhi, if the *katras* of the walled city are added to its unauthorised colonies and 1,080 *jhuggi-jhompri* (hutments) clusters, about 77 per cent of the its population would be found to be living in slums.

What is worse, the nation has not even acquired the will to keep its slums clean. It is not only the congestion or the absence of civic amenities but also the unclean way of life and utter disregard of civic obligation that make our cities and their slums extremely filthy. Japanese cities are extremely congested and their streets and lanes are crowded with people; yet, they are remarkably clean. Even in other developing countries, where the flood of squatters from the rural areas continues unabated, the cities' slums are better than those in India. In the words of Prof. Marshall, a noted scholar of

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sociology, "The city slums in Ceylon, Thailand, Hong Kong and Lagos reveal nothing like the insanitary conditions prevailing in the slums of Calcutta and Kanpur." After a visit to a Delhi slum in 1950s, he wrote:

> Houses are one and two storey, so close together that no sun comes through, everything is damp and this makes the odours of filth and urine all the more noticeable. There is an awful stench everywhere. The area was covered with hordes of flies. Children use the gutters. Saw a man eating his lunch in front of his house a yard away from flies and offal in the gutter. I almost threw up, and the educated Indians with me put their handkerchief over their faces. The children have only one small place to play, and it is in bad condition... As we drove away I kept the windows up so that the hordes of flies would not get inside. I couldn't eat my lunch that day... Had a feeling as though I had seen enough and wanted to forget the misery...

Professor Marshall on Delhi Slums.

This description, after about 50 years, would fit any of the present-day slums of Delhi. What could be a more convincing proof of the failure of the 'implementational will' than the fact that the resolve made about five decades ago remains unredeemed. If any further evidence in this regard is needed, all that one has to do is to travel to Delhi by the morning train. The spectacle of ever increasing open, defecation grounds that exist along the railway line, and hundreds of slums and illegal colonies, surrounded by stagnant and stinking pools of water, would tell us in which direction urban India has been moving.

Consequences

What has been the result of the failure to conceive a healthy urban vision and to muster a sound and sustained implementational will?

Today, in every aspect of city life – density of population; availability of land; housing; slums and squatters' settlements; municipal services; open spaces; the scale and character of migration; employment; traffic/transport; energy; communication;

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crime; health and environment, civic set-up and finance – the prevailing conditions present a sad picture. Let me provide you with a few basic facts and figures in respect of different arenas of the current urban scenario.

Municipal Services

At present, there is no sanitation worth the name for 52 per cent of the urban population. The sewerage system covers only 35 per cent of the population of Class IV cities and 75 per cent of Class I cities. About 34 per cent of urban population does not have any arrangement even for drainage of rain water around its habitats. 60 per cent of the municipal bodies in India collect less than 40 per cent of the solid waste generated daily. At least 28 per cent of the urban waste is allowed to decompose and putrefy on the roadside and around houses and factories. Quite a substantial portion of it goes into the drains, choking them and creating slush and stink all around, besides providing breeding ground for pests, flies and mosquitoes and cockroaches.

In the arena of urban infrastructure alone, at least Rs. 12,000 crore per annum would be required in the next 10 years, over and above the Plan resources, to make good the present deficiencies.

An idea about the gap between the requirement and availability of funds can also be formed from the fact that, on the basis of the demand put up by ten states to the Eleventh Finance Commission, the total amount needed for devolution to the urban local bodies for the period 2000-2005 works out to be Rs. 42,000 crore. As against this amount, only Rs. 400 crore have been recommended for the first year, 2000-2001, by the Finance Commission. At this scale, only about Rs. 2000 crore would be available to the State Governments for providing financial assistance to the urban local bodies for the five-year period, 2000-2005.

Housing

According to official estimates, which are highly conservative, the present shortage of houses is about 25 million units – 7 million in

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25 million more units of houses needed.
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urban areas and 18 million in rural areas. Non-official report puts the shortage much higher. Today, we have the dubious distinction of having the highest congestion rate in the world – about 19 per cent of the Indian families live in less than 10 square metres of space. About 44 per cent of families in the urban areas live in one-room accomodation only.

Slums and Squatters

On an average, the slums and squatters' population has been increasing at more than double the general growth rate of population of cities. At present, at least 35 per cent of our city's population lives in the slum settlements. For the poor, the quality of life in both the cities and the villages is virtually the same. A sizeable portion of the migrants of the cities merely exchange urban for rural misery. For example, in Kolkata, about 1.5 million people, are living in 2011 registered and 3500 unregistered slums. Half of them have been there for two generations or more. In Ahmedabad and Mumbai, too, more than 40 per cent of the population is living in slums and *chawls*.

In the poorer states, like Orissa and Bihar, it is the 'push' factor that swells the population of the cities. In the comparatively richer states like Maharashtra and Gujarat, it is the 'pull' factor that accounts for migration. It is the peculiar combination of the 'push' and 'pull' factors that is accelerating the migration and determining its characteristics.

Transport

Due to rising imbalance between the road space and the number of vehicles, the operating speed of the vehicles has substantially declined. In most metro cities, it has come down by as much as 50 per cent. In Mumbai, the BEST's buses now move at an average speed of only 12 kmph. This consumes one litre petrol for every 2.86 kms. Primitive and modern modes of transport exist side by side. The hand driven carts, the cycle-rickshaw, the car, the heavy

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truck compete for the same limited space, causing speed stagnation, traffic jams and pollution.

The economic and health costs of congestion and haphazard movement of traffic are very heavy, besides exposing commuters and pedestrians to high risk of accidents. A United Nations study shows that there are more fatalities each year from road accidents in India than in the United States, though the former has only about a twentieth of road vehicles as compared to the latter.

Environment

Urban environment, too, has suffered deep degradation. Even in not so large cities as Amritsar, Ludhiana and Mandi-Gobindgarh of a predominantly agricultural State, Punjab, suspended particulate matter in the air now exceeds the safe level. The dust-load in the air of our cities is the highest in the world.

A World Bank study has revealed that the polluted air in the Indian cities is causing premature death of about 40,000 persons every year. The extent of water pollution can be gauged from the state of our rivers which, for most part of the year, are hardly distinguishable from vast urban gutters. Noise is another factor that lowers the quality of life in our cities. According to the survey conducted by the National Physics Laboratory, Delhi, Mumbai and Kolkata are the noisiest cities of the world.

Indiscipline

Few cities in India are known for having maintained a high level of urban discipline. But, of late, norms of organised civic life have been violated with impunity. Illegal encroachment and unauthorised constructions have become rampant. Land and building mafias, some of them having even gangs of contract-killers on their establishment, have cropped up. Urban crime has become more subtle and sophisticated. Municipal corruption has increased manifold. The cities have virtually been thrown at the mercy of predatory forces. For example, Ulhas Nagar, a medium-size town near Mumbai, has more illegal colonies than legal ones.

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What is happening not only constitutes an open loot but also creates a highly unjust situation. While those who ravish the city and imperil its future get away with illegal gains, the law-abiding citizens suffer because it is they who have to face the consequences of traffic congestions and shortages of civic services that the additional constructions cause.

Institutional Framework

Metropolitan areas have multi-faceted economic and social patterns. They require vast and complex organisations. In response to new needs, a number of new organisations like housing boards and development authorities have been added to our cities. The existing organisations, dealing with public utilities like water, sewer, transport and electricity, have also grown, both in size and complexity. All this has given rise to a host of new problems of control and coordination.

While governance of these cities demand a coherent, coordinated and vibrant set-up, they have been saddled with fragmented, fractured and imbecile authorities who cannot mount a frontal attack on any of the core problems, namely, of health or habitation, peace or productivity, environment or ecology.

The 74th Amendment of the Constitution, 1992,[7] in respect of which loud claims were made, has not altered the ground-level reality at all. My visits to the States and interaction with the Mayors at the National Conference of Mayors that I convened on April 29-30, 2000, have shown that the Amendment has not clearly demarcated the obligatory functions to be discharged by the local bodies. It has neither defined the financial resources which the local bodies could tap nor specified the parameters of their administrative and managerial autonomy. The mode of election of the Mayors and their role, functions and position in the civic set-

[7]This amendment gives a constitutional status to the local bodies–Panchayats and Municipal Committees/Corporations–and introduces a few basic features of certainty and continuity in their functioning. The overall objective is to strengthen the institution of Local Self-Government and make it self-governing and autonomous.

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up and administrative hierarchy has been kept vague. The recommendations made by the State Finance Commissions have not been implemented by most of the states. Some of the Mayors at the National Conference complained that they have not been given any power or privilege except a 'red button' on their official car. The underlying reason for all this confusion and irritation is the marked disposition on the part of political elements at the state level not to part with their powers, no matter what adverse impact it may have at the ground level.

Our corporations and local bodies, constituted as they are, do not attract the right talent. Nor is there the right motivation. Mahatma Gandhi wanted our municipal councillors "not to seek honours or indulge in mutual rivalries, but to have real spirit of service and convert themselves into unpaid sweepers and road makers and, above all, take pride in doing so".

How many of our city fathers or managers are coming up to this ideal of Gandhiji? Practically none! On the other hand, most of them are competing with one another in wrongdoings. Narrow and negative politics have destroyed the very foundations of our civic set-up and deprived it of its *raison d'etre*. Today, far from serving as an institution for service and acting as a springboard for providing experienced and honest leadership at the State and the national levels, it has, by and large, become a happy hunting ground for the corrupt, crafty and selfish elements. The Seventy-Fourth Amendment to the Constitution may ensure periodic elections to urban local bodies but it is not likely to change the character of representation on them or improve their performance.

Stony Eyes and Closed Mind

I have shown to you some of the heaps of 'stony rubbish' that lie around our cities these days. While a few of them owe their existence to the inherent complexity of the contemporary urban problems, others have arisen on account of a total absence of vision, motivation and will. What is still more disconcerting is that neither the offensive sight nor the offensive smell from these heaps moves any one to

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new thinking or new efforts. It is not only the 'stony rubbish' but also the 'stony eyes' and 'closed minds' of the present-day India that constitute the roots of its urban governance crisis. If any one attempts to remove these roots and plant fresh ones, he or she is soon consumed by the negative and nihilist forces.

In view of the immense economic, social, environmental and cultural damage that the current conditions are causing and the enormity of the additional problems that are bound to crop up as a result of the on-going pace and pattern of urbanisation and the uneven impact[8] of forces emanating from globalisation, one would have expected that in the 'reform' period at least, a new realisation would dawn, a new vision would be entertained and a new will would be mustered by the urban governance machinery in India.

Reform Period

But what is actually happening? And how is urban governance functioning in the 'reform' period? To provide a clear answer to these questions, let me take you to a short journey of my short tenure as an Urban Development Minister of the Union Government.

In this journey, I would largely take you to Delhi and present it as a case study which typifies the forces, inner as well as outer, that are at work in urban India. I visited many other cities and interacted with practically all those that matter. The conditions everywhere are essentially the same. Take, for example, Varanasi. In this ancient city, in this repository of India's wisdom, even a few hours' walk around its main part would show how it is on the brink of a total civic breakdown, how its streets, lanes and bye-lanes are choked, how filth and garbage are scattered all along its narrow roads, how its skyline is lacerated by ugly hoardings and jumble of overhanging wires, how cows, bulls, cycle-rickshaws and scooters rub shoulders with pilgrims and other pedestrians at the entry of its numerous

[8]For detail of this impact, see chapter IX titled: *Contemporary World and Governance Capacity of Developing Countries*–section dealing with the 'Difficulties of Effectuating Sustainable Development in Poor Countries'.

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temples and how most of the 70 or so ghats along the five kilometre 'Ganga River Front' are in a state of disarray. Near the ancient and venerated Vishwanath temple, there is a huge dump of refuse which emits insufferable foul smell. The holiest of the holy rivers is still receiving a vast quantity of untreated sewers. Of the city's 350 million litres per day of sewage, only 180 million litres per day gets rudimentary treatment. About half of its 500 tonnes per day of solid waste is not taken care of. About 40 per cent of Varanasi's 15 million population now lives in its 146 slums. Years ago, when Mark Twain, visited the city, he, in his inimitable style wrote: "Varanasi is older than history, older than tradition, older even than legend, and looks twice as old as all of them put together." I wonder what he would have written had he come across the prevailing agonising conditions.

After taking over as the Union Urban Development Minister on June 8, 1999, I started a practice of holding a weekly 'public hearing' at Delhi at which any person with a grievance could directly meet me. At one such 'hearing', a representation was made to me by a group of persons, alleging that, in gross illegal use of green land in the historic Qudsia Garden and in utter violation of the master plan, zoning, parking and environmental regulations, municipal bye-laws etc., a huge marriage-party *pandal*, of practically permanent nature, fitted with a number of air-conditioners, kitchens, pantries, living quarters for staff, had been put up and allowed to exist for over five years, and all their complaints to various authorities had not produced any result. On examination of the representation, records, site-inspection and photographing of the area, serious malpractices were noticed. When the file was placed before me, I recorded the following note which speaks for itself:

> While going through the file, my blood has been boiling. I am deeply anguished by the prevailing state of affairs. The case typifies the current administrative culture of ineffectiveness and unconcern. Here is a case in which a huge structure has been constructed in defiance of all laws and lease/allotment conditions. This has been done in the heart of the civil lines,

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in the heart of the Qudsia Garden and despite the bewailings of the respectable citizens in the neighbourhood. I have personally visited the site. Every word of what the representationists told me is true. To me, the 'Pandal' is a standing monument of corruption and civic misgovernance.

The case illustrates how the few green areas that are left in our cities are being savagely ravaged and how insensitive have become the minds of those who are required to protect them.

At my 'public hearing' on May 19, 2000, a retired school Principal, an allottee of DDA's MIG flat, at Saket in New Delhi, accompanied by her near blind husband, represented to me that the allottee of an adjoining flat, who once held the position of President, Welfare Association, had constructed an additional floor on the scooter garages and an additional toilet in the common stair-cases, thereby blocking light, air and passage to her house. The builder was also illegally running a security-service from the same premises and his employees caused nuisance all around. The old couple bewailed that they had been crying hoarse for years to seek justice but no one listened.

Here, the issue, again, is not only of illegal construction which violates the basic norms of health and safety but also of providing justice to the weak. The case brings out clearly how the misdoings of the so-called builder from the middle-income-group are resulting in a situation where, besides violation of laws with impunity, might is allowed to prevail over the right and weak, and defenceless people can secure neither justice nor peace.

Because of the growing gap between what one sees on the ground and what one learns from the files, I also started a practice of frequently visiting different colonies. During one such visit, I noticed that an entire portion of the historic wall of Jahapanah, in an area just opposite the Press Enclave, had all but disappeared. Hideous illegal constructions, including a circus-house, had been put up.

The case shows to what extent the architectural heritage of our cities is being destroyed. Compare it with the attitude of Lenin

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who, though known in history as one of the greatest enemies of traditions, advised his people: "Fellow citizens, do not touch even one stone...the old buildings, articles, documents; all this is your history, your pride." // Lenin – Preservation of History –

The visit to Janta category flats, Vasant Apartments in New Delhi, on May 23, 2000 was no less revealing. Here, the allottees, either themselves or in collaboration with building mafia, had converted their three-storied units into five-storied flats and also commercialised quite a few of them. Greed had so possessed them and so driven were they by the general atmosphere of lawlessness that they had exposed their own safety as well as of their neighbours to grave risk.

I noticed that even the old and historic part of the city, Shahjahanabad, in which about half a million people were already jampacked in its two square miles of area and whose localities like Maliwara and Dariba Kalan had acquired the highest density in the world, had not been spared. Its lanes, bye-lanes and bazaars were being subjected to a new invasion of materialism, selfishness and intrigue. Not only the environment around the historic monuments but also its street pattern, its way of life and its social compactness were being debased. And no one seemed to bother even when this debasement occurred next door to the seat of power.

When I turned my attention from Delhi to the National Capital Region, I found the conditions no less disappointing. The concept of the National Capital Region was evolved about 44 years ago and incorporated in the first Delhi Master Plan, which was notified on September 01, 1962. It took 23 years to constitute a statutorily backed Planning Board and another four years to prepare a Regional Plan. Even when the Plan was framed and a substantial administrative machinery put in place, both at the centre and in the states, a number of approved schemes remained unimplemented. Out of 138 projects financed by the National Capital Region Planning Board, only 57 had been completed. Most of the ongoing projects were having a time overrun ranging from one to seven years. Fifteen of them had not even been started.

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None of the six Expressways, namely, Faridabad-Noida-Ghaziabad; Ghaziabad-Meerut; Panipat-Kundli-Ghaziabad; Loni-Noida-Surajpur-Bulandshahar-Khurja; Peripheral Expressway between NH-1, NH-10, NH-8 & NH-2; Elevated Expressway on the Ring Road, had been put on the ground. The same was the fate of the Regional Rapid Transit System for the National Capital Region.

It became quite clear to me that if prevailing attitude and trends persisted, Delhi's population would touch 23 million by 2011 and 30 million by 2021. Delhi would lose verve and vitality on account of overweight and the National Capital Region on account of disharmonious and imbalanced growth.

When I visited the slums and squatter-settlements, I was particularly saddened. I found that almost all the improvement work done by me as Executive Head of the Delhi Development Authority in the mid-seventies, with regard to resettlement of squatters, had been set at naught and about 1100 new squatters' settlements, with a population of 19 lakhs, allowed to come up. In this connection, it would be relevant to indicate here what had happened in 1976.

An Instructive Experiment

After studying the problems in depth, I came to the conclusion that the existence of hundreds of haphazard clusters of squatters in Delhi was a menace to health and habitation of the people and frustrated the objective of securing planned development of the capital, besides causing huge losses to the public exchequer by way of time and cost overruns of construction-projects pertaining to schools, hospitals, roads etc. I also noticed that the residents of these clusters were themselves the worst sufferers. They lived in miserable conditions. Since the lands upon which they squatted were mostly required for public utility projects or were situated on the embankments or in the bed of open nallahs, no investment was practically made by any public authority to provide even basic amenities like latrines. On the plea of human considerations, which the vested interests advanced, the worst inhumanity was perpetrated.

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I, therefore, decided that the best way to deal with this gigantic and complex problem was to resettle the existing clusters on permanent sites and to ensure that future migration took place in a planned and purposive way and the process of migration became skill and productivity-oriented, and not restricted to petty jobs or business in which the poor virtually competed with one another. I decided to launch a massive 'clearance-cum-resettlement' project. A major part of it was executed in 1976. Before this project was undertaken, there were about 1400 clusters, scattered all over the city in unsuitable and unhealthy sites. About 71.8 per cent of them were not having any water taps, 58.31 per cent had no hand-pumps, 68.9 per cent no lavatory seats, 65.1 per cent no brick pavements or pucca streets, 68.9 per cent no storm water drains and 63.1 per cent no street lighting. With extreme congestion and irregular and shapeless *kuchha* structures, with unstable families and low sex ratio, the environmental degradation could not be worse. Contrary to the general impression, 78 per cent of the squatter households were living beyond 6.5 km of the centre of the city (Connaught Place).

It was from these sub-human conditions that the squatters were relieved and accommodated in the resettlement colonies. In about a year or so, about 1,45,000 residential and 10,000 shop plots were developed, and 200 km of main drains, 400 km of small drains, 650 culverts, 60 tubewells, 4,000 hand-pumps, 2,500 public hydrants, 80 km of water supply lines, 200 km of metalled roads, and 14,000 permanent lavatory sets were constructed. About 500 parks were developed, besides planting 5 lakh trees. Ten new higher secondary school buildings, 23 new dispensaries, 60 TV sheds were also constructed. In some colonies, facilities of super bazars, community halls, adult literacy centres, milk-bars, 'balbaries', etc. were also provided.

As compared to almost cent per cent construction in pre-resettlement sites, the resettlement colonies were planned and developed with only 32 per cent of the area as residential, 13 per cent was earmarked for metalled roads, 15 per cent for paths, 16

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per cent for parks, 4 per cent for shops and 20 per cent for community facilities.

House building loans for about 65,000 families were arranged to enable them to build substantial buildings on newly allotted plots. Having become an owner, the erstwhile squatter, too, acquired an incentive to save and make investment in the property in the shape of *pucca* construction and individual bathroom and toilet.

The new colonies were appropriately integrated in the overall development pattern of the metropolis. Not only were residential clusters shifted but also avenues of industrial and commercial employment. For example, Jahangirpuri resettlement colony was located near the site where the wholesale fruit and vegetable market was shifted. Likewise, Dakshinpuri resettlement colony was set up near Okhla Industrial Estate, and resettlement colonies in the trans-Yamuna area were linked with schemes of the Mother Dairy and new industrial colonies in that area.

The rationale of the whole project was to create organised settlements, with a sizeable population, take advantage of the economies of scale, and concentrate on environmental, educational, cultural and recreational facilities, leaving scope for future improvements and at the same time, avoiding wasteful expenditure on old clusters. Since the settlers lived near the fast-growing industrial and commercial areas, they got ample opportunities for securing regular jobs in factories and business houses, and also of acquiring new skills. Instead of remaining petty domestic servants or casual workers, working all days of the week on paltry wages, they became regular employees, with fixed hours of work, and enjoying all the benefits of the factory laws. Their future became certain. And they became a solid and stable member of the community, adding to the wealth and welfare of the city.

The project was also the largest land-acquisition measure ever undertaken anywhere in the world at a single point of time for the benefit of the poor. About 2000 hectares of developed land, the market value of which was several hundred crores of rupees, was distributed virtually free. Delhi at that time moved effectively

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towards its goal of rational and equitable distribution of land amongst different sections of the community and also for meeting institutional needs, etc.

After execution of the clearance-cum-resettlement-cum-development project, Delhi looked a neat, clean, orderly and organised city with a personality and identity of its own. Areas around historical monuments were cleared, landscaped and developed as parks and community green. Thus, not only was the architectural and cultural legacy of the metropolis preserved but also small lungs were created all around. Specific schemes for which the cleared sites were earmarked were executed, and in due course, a number of fly-overs, bridges, roads, schools, stadia and public utilities came up. Traffic moved smoothly, and not much petrol was unnecessarily burnt and there was reduction in the congestion on the roads and the long halting time at junctions. To a large extent, Delhi became a healthy and harmonious habitat, with a high level of orderliness and output.

All in all, it was a great experiment. It showed how haphazard, 'free for all', squatting was spelling disaster for our cities and how creation of planned settlement would prove highly beneficial in many respects. While the former pattern polluted the overall environment, virtually forced the migrants to live in sub-human conditions, spread diseases, lowered economic productivity and provided scope for unscrupulous politicians to exploit the squatters politically and petty bureaucrats to extract regular bribes, the latter pattern gave secure title to the migrants over their plots, freed them from the clutches of exploiters and manipulators, enabled them to invest their savings in improving their habitats and bringing their families from their villages and thus becoming stable units of the society, looking to the future with pride, dignity and confidence.

Vested interests and some NGO's and foreign 'experts' however frequently float the idea of permanent settlement of squatters in-situ, creating false hopes and subsequent frustrations and agitations. They have no understanding of ground level reality and choose to remain oblivious of other pressing needs of the community. In

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almost all over metropolitan cities, the lands occupied by squatters is needed for some public utility project or the other, such as expansion of roads, airports and railway tracks, or is otherwise unfit for habitation or development, being floodable or prone to other hazards. The only feasible and also beneficial course[9] is to accommodate the migrants in a planned and purposive way in the ever expanding orbit of the cities, taking care that, as far as possible, they are settled near the new industrial and commercial estates which are being set up to meet the increasing need of industry, trade and commerce.

Unfortunately, after a short time of the above experiment, the negative and nihilist forces in society again acquired an upper hand. Petty politics of slums came into full play. The hand-riggers and busybodies, who never cared to study the problem in depth, raised ill-informed hue and cry. The land mafia and the powerful lobby of speculators and racketeers launched their own disinformation campaign against the land acquisition scheme. This scheme and the project of clearance-cum-resettlement-cum-development were effectively torpedoed. Consequent to this disruptive climate, the city again lapsed into haphazard squatting, causing congestion, confusion and sickness all around.

Compounding the problems

These were the agonising conditions in and around Delhi when I came to the scene after the 13th Lok Sabha elections. To this agony was added the negative attitude of those who were at the helm of affairs at the local and civic levels. Far from realising the gravity of the situation and resorting to remedial measures, they were taking decisions which only compounded this gravity. They decided to amend, under the cover of simplification, zoning regulations and building bye-laws, to allow larger construction. One more storey was permitted by ignoring the elementary principle of town planning that civic infrastructure should first be augmented and

[9]For details, see chapter XII and chapter XIII, wherein blueprint for reform has been unfolded and agenda for concrete action discussed.

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work for upgradation of layout and service plans done on the ground to effectuate compatibility between these plans and additional construction. Farm houses which were already being misused as residential bungalows and for holding marriages and other entertainment on commercial basis, were also allowed additional construction and to put up one more storey and basement.

What happened on the ground was still worse. With all sorts of announcements and statements appearing in the press; the builders, particularly those belonging to the land and building mafia, went on a virtual rampage of unauthorised construction and put up constructions over and above what could be done even under the so-called revised bye-laws. Where one storey could be added under such 'bye-laws', three or four were put up, dwelling units were multiplied and plot housing converted into group housing and separate flats sold at huge premium. This, besides giving rise to corrupt practices on an immeasurably large scale, caused chaos and confusion all around and set the city on a road to total disaster.

Action and Its rationale

I decided to step in – and step in effectively. I took seven main decisions. First, I reversed wholly the decision with regard to farm houses in toto and restored the *status quo ante*. Secondly, in respect of dwelling units/houses in residential colonies, I issued a notification which stipulated that building plans, in accordance with the 'amended bye-laws', could be sanctioned only if the layout plan and service plans contained provisions to accommodate the additional load of services and these services were provided on the ground beforehand. Thirdly, no plot-housing could be converted into group-housing. Fourthly, I asked the municipal and local authorities to take immediate effective action against those who had put up additional construction even beyond what was permissible under the so-called revised bye-laws and also against those who put up illegal and ugly hoardings or deface the walls and buildings by pasting posters or writing slogans on them. Fifthly, I undertook the responsibility of acting as a nodal agency for

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ensuring that the orders of the Supreme Court with regard to shifting of illegal as well as polluting industries from residential areas,[10] which had been languishing for years, were straightaway implemented. Sixthly, I planned and executed, on the lines of 1976 Scheme, the particulars of which have been given earlier in this chapter, a large project of clearance of squatters' clusters and their resettlement at appropriate sites and redevelopment of vacated areas for the purposes envisaged in the Master Plan. Seventhly, I placed the entire issue of unauthorised colonies before the Union Cabinet which agreed that no colony which came into being after 1993 would be considered for regularisation and that 'strong and prompt' action should be taken against unauthorised constructions and illegal encroachments.[11]

When I took strong action to secure implementation of these seven decisions, the vested interests, as was expected, attempted to confuse the public by describing my campaign as one of demolition. But I remained firm. In support of my stand, I made a few statements in Parliament and also to the press. The following excerpts[12] from these statements would indicate "why I was doing what I was doing":

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[10]For detail of this matter, see also chapter VII–section dealing with Polluting Industries under the head *Judiciary*.

[11]On the basis of this decision of the Cabinet, a letter was drafted by me and was issued by the Ministry of Urban Development on August 28, 2000, requiring the Government of National Capital Territory of Delhi and the local bodies to take firm and speedy action to eliminate the menace of rampant violations of civic and planning laws. This letter, a copy of which was put on the record of the Supreme Court by the Solicitor-General, listed ten specific measures. Later on, after I had left the Ministry of Urban Development, the Court asked the local Government and local bodies to let it know as to what precise action they had taken to implement these 10 measures. It did not get satisfactory response and expressed its concern, in its order of February 2, 2002 in these words: "It is quite evident that there is now no fear of the law catching up at least with those persons who do not believe in adhering to following the rules and regulations laid down with respect to construction of property... It is a dangerous trend if the people do not have either respect for or fear of law primarily due to non-enforcement of the law."

[12]Here I am not repeating excerpts which I have already given in the section dealing with the judiciary in Chapter VII. For details the said section may be seen.

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(i) The deluge of unauthorized constructions and massive violations of civic laws, which our cities are witnessing these days, are not only causing growth of unhealthy and unworkable cities but also tearing apart their moral fabric. An honest builder who respect zoning regulations of coverage, floor-area-ratio, set-backs etc. cannot compete with the dishonest builder who violates all such norms and gets away with it with direct or indirect backing of those who hold levers of powers at the local or higher levels. The honest builders are thus being virtually compelled to adopt a dishonest line.

(ii) Can our cities, compete successfully, in the globalised economy, if the traffic and transportation moves in them at one-third the speed at which it moves in the cities of our competitors?

(iii) My aim is to bring about order, justice and rule of law to the city and save it from the ravages of law-breakers who are destroying all norms of organised civic life and, in the process, netting several hundred crores of illegal money. I want to tell the few elevated souls that are left in the city how, under a craftily designed network of malpractices and corruption, powerful elements have denuded the capital of its wealth, both physical and moral, and how important it was for these souls to assert themselves and raise their voice against heartless violation of civic laws and large scale corruption.

(iv) An unhealthy nexus existed between the land and building mafia and corrupt elements in the local bodies. This would be clear from the fact that the construction done even beyond limits prescribed under the so-called revised bye-laws was not proceeded against. This nexus stood proved in all the cases which were referred to the CBI and in which investigation had been completed. Where only three storeys could be put up, four, five and even six storeys were built and plot-housing converted into group-housing.

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(v) To permit construction of additional floors, without first getting the layout plan and service plan amended and without actually augmenting the services on the ground would be legally and environmentally untenable. Already, the civic services were on the verge of collapse. About eighty per cent of the sewage was being dumped untreated in river Yamuna, converting it virtually into an open sewer, thereby poisoning the aquifers and breeding host of diseases. Water shortage, too, was acute. To meet this shortage, ground water was being pumped out in excess, causing drop in its level to an unsafe limit.

(vi) In the name of farm-houses, emergence of virtual posh residential civil lines, with luxury villas and huge fortified walls around them, is one of the worst examples of the Third World's 'business-bureaucratic-industrial elites' manipulating law and bending levers of power-structure to suit their personal ends at the cost of public interest. Further upward revision of the planning norms for these farm-houses would not only put premium on illegalities but also result in total destruction of the green belt.

(vii) Presently, in our cities, the pollution levels are increasing and health costs escalating. About 30,000 premature deaths, 17 million respiratory hospital admissions and 1.2 billion restricted activity days are occurring annually due to polluted air. Three cities – Delhi, Mumbai and Kolkata – account for 44 per cent of these deaths. New and more virulent forms of diseases are appearing. The present unhealthy conditions are estimated to cause an annual loss of 30.5 million 'Disability Adjusted Life Years' which is equivalent to Rs. 36,000 crore.

(viii) The squatters' resettlement, on the lines of resettlement of 1976 would ensure planned development and result in overall upgradation of its environment. It would relieve the squatters of the misery of living on the embankment of filthy drains, eliminate fear of eviction from their minds and enable them to secure regular and permanent allotment of plots. It would

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also bring about smooth flow of traffic and facilitate cleaning up of River Yamuna and other water bodies. The setting up of migrants' Colonies would take care of the problems of shelter of that class of persons who migrate to the city but have not place to stay.

Quest for principled governance

The rationale of my stand was widely appreciated by the public in general and intelligentsia in particular. This appreciation increased manifold when spectacular development was seen on the ground and new complexes like Vivekananda, Aurobindo, Deen Dayal, Karm Yogi and Bapu Parks etc., were created and over 16,000 families living in some of the worst slums and squatters' settlements of Delhi[13] were shifted and resettled in planned and organised colonies like Narela and Madanpur Khadar. I received a very large number of warm and laudatory letters from different sections of the people. They confirmed my belief that quite a few countrymen were actually longing for a clean, principled and effective governance. I give below extracts from some of the communications received.

Air Marshal M.S. Bawa (Retd.), President, Citizen Alliance for Promotion of Responsive Governance, in his letter of April 28, 2000, wrote:

> It has been heartening to follow up the actions you have been taking and particularly when we read in the Hindustan Times of 28th April, 2000 it really assured us that there are still people in this great country of ours who would stake their all for a righteous task. We assure you Sir that you will not find out movement wanting and we shall be right behind you and that also not very far... We commend you for your courage and steadfastness in the face of tremendous

[13]These slums and squatters' settlements included such miserable areas as Kotla Mubarkpur, CGO Complex, Udyan Marg, Makki Sarai, Shastri Nagar, Sadiq Nagar, Minto Road and Lajpat Nagar fly-over.

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odds and the up-hill task that you are engaged in. One thing you must take pride in is, that there are a small handful of people who will stake their all with the hope to pull the country out of the quagmire that it has been landed in. History shall only remember those who put their everything on the chopper block for the country and not those who plundered it. May God give you courage to hold your own and not succumb to any pressure.

The Efforts Group of Delhi Citizens' Action Group for Promotion of Responsive Governance spoke in the same strain in its letter of May 23, 2000:

> We admire, appreciate and congratulate you on your bold step to take head on the builder mafia. Your honest efforts to restore Delhi is laudable. We assure you all the support in your endeavours.

The noted Non-Governmental Organisation, Common Cause, in its communication of April 15, 2000, said:

> A very welcome news has been highlighted in today's Hindustan Times, that you have taken the steps of initiating strong action against depredations which builders and plot-holders have been causing in construction of high-rising and multiple flat buildings in Delhi. It is very unfortunate indeed that this has been allowed to be perpetrated by the concerned authorities of Delhi, ostensibly on the strength of approval by certain elements among politicians.

Referring to the 'exposé' of the misdeeds which came to light during my weekly public hearing, Ashwani Kumar Aggarwal of the Traffic Advisory Committee, wrote on June 5, 2000:

> It (public hearing) is very much commendable. Everybody is happy and contented that there is somebody who can hear his woes patiently and illegal action are undone promptly. You have the guts to take action against the people who have links with the land mafia.

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The letter of September 10, 2000, from Shri S.P. Sharma of Ashok Vihar was of its own kind. He observed:

> There are two types of DDA flat owners. One those who have made unauthorised constructions and the other who are suffering because of the same. Strange is the situation. Those who have done illegal things are making much more Hangama than those who are suffering. This struggle could be equated to Amrit Manthan... Now Hon'ble Minister Shri Jagmohan Ji wants to do right things and the pressure on him is mounting each day to incapacitate him... Yada Yada Dharmamsya... I pray to Lord Krishna to bless our Hon'ble Minister to be able to deliver justice to the suffering masses then he will not have to take the trouble to descend on our Holy Earth to do the same job.

Anil Agarwal's letter of June 6, 2000, took my stand to a very high pedestal:

> I have heard/read a lot about you... In our country, you fall among exceptional people like Mahatma Gandhiji, Chandra Shekhar Azadji, Subhash Chandra Boseji, Lal Bahadur Shastriji etc... These people have contributed and repaid to this country last end of their heart... Sir, you are going on the same line and your bold approach /feelings are similar to them.

I hesitated a great deal before reproducing these extracts because they could give an impression that I was indulging in self-praise. But, on final count, I decided to do so because truth was attempted to be butchered by vested interests through a highly tendentious publicity campaign which sought to portray my fight for cleanliness in public life and orderliness in our cities as a mere demolition drive.

Failure and its underlying cause

As my attempt to change the direction and ethos of urban governance seemed to be evoking positive response and producing

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results on the ground, the changes in the portfolios of the Cabinet Ministers occurred. I got another portfolio -- Tourism to which Culture was added after about three months. I was deeply hurt. But I kept my anguish to myself. The media sensed the reasons for change as well as my reaction to it. When some senior correspondents of national dailies pressed me to reply to their question, I merely responded by saying, "If you do not want good men to lie, do not ask inconvenient questions."

My attempt, overall, did not succeed. In fact, it could not. But the experiment was worthwhile. It reinforced my view that, though independence came to us in 1947, we have not looked into the fundamental forces which move beneath the surface and give shape and form to what is on the ground. Our civilisation and cultural roots got infected a long time ago. But, even after we became masters of our own destiny and had a 'tryst' with it on the midnight of August 14-15, 1947, during the entire 57 years that have elapsed since then, we have applied no nutrition to these roots, with the result that they have been yielding a lot of 'stony rubbish' which we see all around us in urban India.

Heavy Price

The aperture of our mind's eye has become so narrow that we are not even seeing the contradictions in what we are doing. Does it make any sense to become a part of a highly competitive globalised economy and simultaneously create conditions which cripple the productivity of our cities?[14] *Is it rational to spend huge amounts on metalling of our roads and then allow a good portion of them to be occupied by the stray cattle and encroachers? The central issue is not of doings or misdoings of*

[14]Bangalore is a nerve centre of India's Information Technology Revolution. It is a big money spinner for the nation. It accounts for 36 per cent of the country's software exports. Its 1200 IT firms employ 2 lakh persons. But its infrastructure is now so poor that the leading firms are planning to leave the city. In the first week of December, 2004, the Indian Express published a series of reports which show how the future of city is being imperilled by poor urban management and by the land grabbing activities of politically influential mafia-groups.

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political party 'X' or political party 'Y', but of the base from which their motivation springs.

From what I have brought out above, it should be clear how mind-boggling problems of immense magnitude are staring in the face of our machinery of urban governance, how the fast emerging phenomenon of super-urbanisation and super-impoverishment of the urban poor is causing a huge storm to gather on the horizons of our cities, how an unholy alliance of dishonest elements in our civic and national set-up is giving rise to further complications and how poor understanding, poor vision and poor motivation of the wielders of political and bureaucratic power are preventing well-intentioned persons to apply the correctives and save our cities from reaching a point of no return. The nation, including the enlightened section of it, is showing little concern over the growing complexity of our urban problems and the crumbling edifice of our cities.

History, it is said, is no blind goddess and does not excuse blindness in others. She is not going to make an exception in our case. We all have to pay a heavy price for acting like blind men with lanterns in our hands.

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CHAPTER IX

CONTEMPORARY WORLD ORDER AND GOVERNANCE-CAPACITY OF DEVELOPING COUNTRIES

Directly or indirectly, globalisation influences internal and external politics of all countries. In theory, it has only economic goals on its agenda; but in reality, it may bring social and political upheaval caused by inequalities amongst peoples and countries.

FELIX N. YURLOV

If today's global opportunities are far greater and potentially more accessible, developing countries are also further behind than ever before. And Washington Consensus[1] remains best suited for those who are ahead rather than behind.

BRUCE R. SCOTT

Our time is characterised by contradictions and disharmony, by confusion and uncertainty, by great leap forward for some and giant step backward by others. How can one era hold such disparate and conflicting realities?

UNICEF 2000

Is it possible for the developing countries like India to provide healthy, humane, efficient and effective governance in the face of the global order that prevails today? Does not this order virtually prevent these countries from establishing good governance, even if they were to muster the necessary will and motivation to do so? Can they acquire the capacity to secure sustainable development

[1]Washington Consensus refers to the commitment to a set of measures designed to bring about supremacy of the market both in the domestic and international economic activity. It involves financial discipline, trade liberalisation, deregulation, privatisation of State enterprises, free flow of foreign capital and floating exchange rate.

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or extend social and economic justice to all sections of their people or attract competent individuals at managerial, technological and administrative levels or set in motion the social and cultural forces that go to create an overall atmosphere in favour of true and lasting reforms and thus help in improving the human material of those who are called upon to govern as well as those who are to be governed? And does non-acquisition of this capacity not bring about circumstances in the badly governed States to further reduce the scope for acquiring such a capacity?

These are the questions that are crucial to the study of the machinery of governance in India and other developing countries. But they are seldom examined, or examined only in passing, in the otherwise abundant literature of the day on the subject. It is an in-depth analysis of these questions alone that could adequately bring out the reasons for the failure of this machinery. My view is that it is the combination of internal and external reasons that lie at the root of our failure. In the three previous chapters, I have indicated the internal reasons and circumstances. In this Chapter, I would deal with external reasons and circumstances.

SOCIAL, ECONOMIC AND POLITICAL ARCHITECTURE OF THE CONTEMPORARY WORLD

If we look closely at the political, social, economic, intellectual, scientific and overall cultural landscape of the contemporary world, particularly the world that has come into being after the second half of the twentieth century, we would be bewildered by its mind-boggling complexities and contradictions, its hidden inequities and injustices and its skin-deep concern for the advancement of those

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1 contd. This 'consensus' was really an agenda of the conservatives and large corporate bodies. It was worked out by Margaret Thatcher of Britain, Ronald Reagan of the United States and Helmut Kohl of Germany. Their *mantra* was: "Markets work; governments do not." They not only followed this *mantra* but also virtually forced developing nations to accept it through the loan-conditionalities of the World Bank and International Monetary Fund. It involved privatisation of industries and services, weakening of Unions and social support, currency devaluation to boost exports and attract foreign investment.

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to whom history has been unkind, and who, on their own, are unable to shake off burdensome legacies of their past, and debilitating circumstances of the present.

The contemporary world has, indisputably, witnessed a great revolution in science and technology and also an unprecedented increase in its wealth. Of late, human knowledge has been doubling every ten years. Information, communication and digital technologies are moving forward and converging very fast. The power of the computer is doubling every 18 months and that of internet every year. New frontiers of knowledge are being rapidly crossed, new horizons explored, and new discoveries and inventions made. Increase in wealth, too, has been occurring at a phenomenal pace. For example, the world economy grew from $31 trillion in 1990 to $42 trillion in 2000.

Divisions, Disparities and Poor Quality of Life for Most

All this wealth and advancement, however, is unevenly distributed. The overall scene is marked by deep divisions and disparities amongst nations and peoples. On the one hand, has emerged a group of nations, who though small in number are highly prosperous, technologically advanced, less populated and excessively consumerist, while, on the other, has arisen another group of nations, much larger in number, who are poor, technologically weak and frightfully populous with a sizeable section of their people living in sub-human conditions. These disparities and divisions have been daily widening. During the 1970s, the top 20 per cent of the world's people in the richest countries had 32 times the income of the poorest 20 per cent, growing to 45 times in 1980, 59 times in 1989 and 78 times at present.[2] In the nineteenth century, though the disparity between the rich and the poor increased substantially, it did not do so in such proportion as in the twentieth century. The gap between people's incomes in the richest and the poorest countries was about 3:1 in 1820, 11:1 in

[2]Human Development Report, 2003.

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1913. But by 1950, the gap widened to 35:1. It has risen to 120:1, today from 50:1 in the 1960s.[3]

The disparities have become so acute that today 20 per cent of the world's people, mostly living in what are called developed countries, have got 86 per cent of the world's Gross National Product, 82 per cent of the world's export market, and 68 per cent of the foreign direct investment. As against this, the bottom 20 per cent of the people, almost all living in what are termed as developing countries, are compelled to live with income of only $1 a day and get a share of 1 per cent of the world Gross Domestic Product, 1 per cent of world export market and 1 per cent of foreign direct investment.[4]

According to the Human Development Report 2003, "For many countries, the 1990s were a decade of despair. Some 54 countries are poorer now than in 1990. In 21 a larger proportion of people is going hungry. In 14, more children are dying before age five. In 12, primary school enrolments are shrinking. In 34, life expectancy has fallen. Such reversals in survival were previously rare. A further sign of a development crisis is the decline in 21 countries in the human development index". If China, which lifted about 150 million people out of poverty is excluded, the number of extremely poor people would be found to have increased by 28 million in the last decade, thereby indicating deepening of poverty in most of the developing countries. In this regard, Nobel Laureate Joseph E. Stiglitz has significantly observed: "In much of the world, there has been in recent years a slowing of growth, an increase in poverty, a degradation of the environment, and a deterioration of national cultures and of a sense of cultural identity."

Glaring inequalities in consumption have also come about. The Human Development Report, 1998, pertinently points out: "Globally, the 20 per cent of the world's people in the highest-income countries account for 86 per cent of total private

[3]Report of the Commission on Social Dimensions of Globalisation: A Fair Globalisation. ILO (2004).
[4]World Bank, World Development Indicators, 1999.

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consumption expenditures – the poorest 20 per cent a minuscule 1.3 per cent. More specifically, the richest fifth consume 45 per cent of all meat and fish while the poorest fifth 5 per cent; the richest fifth consume 58 per cent of total energy but the poorest fifth less than 4 per cent; and the richest fifth consume 84 per cent of all paper, the poorest fifty 1.1 per cent."

The Human Development Report of 2003 has also revealed that "the richest 5 per cent of the world's people receive 114 times the income of the poorest 5 per cent. The richest 1 per cent receive as much as the poorest 57 per cent. And the 25 million richest Americans have as much income as almost 2 billion of the world's poorest people."

In the developing countries, there are about 1.2 billion people – about 20 per cent of the world population – who are absolutely poor and live on less than $1 a day. About 2 billion people earn less than $2 a day. About 2.4 billion have no access to sanitation. About 1.7 billion go without pure water supply. Preventable diseases kill about 10 million children under the age of five every year. In 1990s, "diarrhea killed more children than all the people lost to armed conflicts since the second world war."[5] About 500,000 women die each year in pregnancy and childbirth, and 30 times that number suffer injuries which, to use the words of UNICEF: "are usually untreated and unspoken of and which are often humiliating and painful and debilitating life long." In cities alone, about 600 million people are either homeless or living in what the United Nations Centre for Human Settlements has described as a "life and health threatening environment."

Despite the ratification of the Convention on Right of the Child, more than 200 million children in the developing countries still live on a semi-starvation diet. Vitamin A deficiency impairs the physical and mental faculties of about 40 million children, causing even blindness to about 250,000 every year. About 130 million primary-school-age children are out of the school. "Every day",

[5]Human Development Report, 2003.

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says the UNICEF Report, 2000, "30,500 boys and girls under five die of mainly preventable causes, and even more children and young people succumb to illness, neglect, accidents and assaults that did not have to happen." According to International Labour Organisation, poverty is driving about 250 million children to work, depriving them not simply of their childhood but also of their future.

During the last four decades, the health standards in developing countries have, undoubtedly, improved. Per capita food production has risen by about 20 per cent and access to safe water supply has doubled. Life expectancy has gone up by a third and fertility rate amongst women has fallen by the same percentage. Infant mortality has been reduced by half and net enrollment in primary schools has gone up by two-third. But all this constitutes a small entry on the credit side of the health ledger. The entries on the debit side are too deep and distressing. Old scourges like malaria[6] and cholera have reappeared, and many new dreadful and incurable diseases like AIDS[7] are spreading fast. About 10 million children have already been orphaned by AIDS. Every day, about 8,500 children[8] and young people are infected with HIV and 2500 women die of AIDS. "In 1998 alone, the number of women killed by HIV/AIDS was 900,000 – more than three times the death toll of the war in Bosnia." Spending on public health has, in fact, been declining and international assistance has been too meagre to cause real improvement. Against the requirements of about $ 250 billion the developing countries are getting only $2 to $3 billion annually. And health standards between them and developed countries have further widened.

[6]At present, Tuberculosis kills about 2 million and Malaria 1 million people a year, mostly in developing countries.

[7]Of the 42 million people, infected with HIV/AIDS, 39 million are in the developing countries.

[8]Human Development Report, 2000, page 82 and Report on the State of World Children, 2000, page 5.

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This is what the Human Development, 2003, has observed in this regard:

> No high-income OECD country spends less than 5% of GDP on public health services. But developing countries rarely exceed this share – most spend 2-3%. In 1997 average public spending on health was a mere $6 per capita in the least developed countries and $13 in other low-income countries – compared with $125 in upper-middle-income countries and $1,356 in high-income countries. The World Health Organisation estimates that $35-40 per capita is the bare minimum for basic health services. In poor countries it is basically impossible to pay international prices for life-saving medicines – and almost criminal to expect poor people to do so. The lack of resources has a corrosive effect on health systems because shortcomings in one area feed into others.
>
> At present, "only 10 per cent of the global spending on medical research and development is directed at the diseases of the poorest 90 per cent of the world's people".

While it is the affluent countries which cause most of the environmental problems on account of excessive consumption of the scarce natural resources, it is the poor developing countries who suffer from them, besides the fallouts of poverty which is the worst pollutant. They are not merely victims of the current degradation; their future is still more bleak as they would be subjected to increasing environmental stress. The Human Development Report, 2003, has pointed out:

> Soil degradation affects nearly 2 billion hectares, damaging the livelihoods of upto 1 billion people living on drylands. Around 70% of commercial fisheries are either fully or over-exploited, and 1.7 billion people – a third of the developing world's population – live in countries facing water stress.
>
> There is an uneven geography of consumption, environmental damage and human impact. Rich countries generate most of the world's environmental pollution and deplete many

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of its natural resources. Key examples include depletion of the world's fisheries and emissions of green-house gases that cause climate change, both of which are tied to unsustainable consumption pattern by rich people and countries. In rich countries per capita carbon dioxide emissions are 12.4 tonnes – while in middle-income countries they are 3.2 tonnes and in low-income countries 1.0 tonne. Poor people are most vulnerable to environmental shocks and stresses such as the anticipated impacts of global climate change.

Digital Divide

Despite remarkable growth[9] of Information-Communication Technologies occurring in a number of developing countries in the last half a decade, the problem of a digital divide remains as acute as before. This is what the Global Information Technology Report, 2003-2004, has observed:

> Analysis at the regional and country level, particularly when disaggregated according to income levels, reveals the persistence of a significant gap between the penetration rates in high income economies and low income economies. Even in the context of shared access in developing economies, the disparities of ICT access still remain glaring. The lingering gap will continue to exist unless international and national policymakers as well as business leaders and other stakeholders make a concerted effort to apply the lessons that have been learned.

[9]In the three years' period, 1999-2002, India added about 15 million main telephone lines, about 14 million internet users, about 10.8 million cellular mobile telephone subscribers, about ten million television receivers and about 2.7 million personal computers. The growth in China was far more spectacular. In the same period, it added about 106 million main telephone lines, about 50 million internet users about 163 million cellular mobile telephone subscribers, about 40 million television receivers, and about 10 million personal computers. In the said period, Brazil, too, made significant strides. Its additions were about 14 million in main telephone lines, about 11 million in Internet use, about 20 million cellular mobile telephone subscribers and about 7 million in personal computers.

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The Report expresses concern that the low income economies still lag considerably behind in terms of penetration rates of their population. Of the 2.5 billion total population of low income economies (41 percent of the world's population), only 2 per cent are cellular mobile telephone subscribers, and only 1 percent are Internet users and have access to cellular mobile telephones. With regard to China and India it has significantly pointed out that there were as many as two billion persons who did not subscribe to cellular mobile telephone service, as in 2002.

Dominance of the Power-Structure

Disparities are not restricted merely to the economic, social and cultural arenas. They extend to the overall power-structure at the global level as well. The scene is dominated by a small but strong cartel of developed countries. The noted American intellectual, Samuel Huntington, has rightly observed: "The West in effect is using international institutions, military power and economic resources to run the world that will maintain Western predominance, protect Western interests, and promote Western political and economic values." An equally distinguished Soviet scholar on the international scene, Flex Yurlov, has said: "International political, economic and security institutions are effectively settled by a directorate headed by the United States." In fact, new emperors in new clothes and with new postures have come on the scene. They may be more subtle and sophisticated; but they are emperors, nevertheless.

The group of seven industrialised countries, comprising the United States, Canada, the United Kingdom, France, Germany, Italy and Japan, and rest of the members of European Union together represent only 14 per cent of the global population but they control 56 per cent of the votes in the International Monetary Fund Executive Board. While China and India have 37 per cent of the world population, they have the least representation on multilateral leadership positions.

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Failure of United Nations and Its Agencies

The United Nations and its agencies, which are virtually controlled by a few rich powerful nations, have failed in ending human miseries or in checking income disparities or in preventing the concentration of economic and political power in a handful of countries. The UN Conferences have appropriately been likened to a mythical road on which the traveller takes one step forward only to find that his destination has receded by two steps. These Conferences create an illusion of help being extended to the deprived and the disprivileged while precious little is done in concrete terms.

Let me here recapitulate briefly what has been the past experience in this regard, and also comment upon the likely outcome of the UN Millennium Declaration, 2000, and the specific goals and targets it has set out to achieve.

Concerned over the worsening human conditions, the United Nations ushered in 1961 what it called the Development Decade (1961-1971) and then created a new agency by the name of the United Nations Development Programme to carry out 'development cooperation'. In 1968, the United Nations appointed a commission under the chairmanship of Lester B: Pearson, to examine the system of providing overseas aid. The commission recommended that the developed countries should contribute at least 0.7 per cent of their Gross National Product for carrying out development works in the developing countries. With intense humanitarian fervour, the commission emphasised: "The world could not survive; half poor, half rich".

With a little more enlarged objectives than the Pearson Commission, another commission under the name Independent Commission on International Development Issues, was set up in 1977, under the chairmanship of Willy Brandt. Its report, titled "North-South: A Programme for Survival", was published in 1980. The important recommendations of the commission were creation of a World Development Fund and provision of aid to the developing countries on a scale of not less than one per cent of the Gross Domestic Product of the developed countries.

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Conferences can be termed "Festivals of hypocricy"
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On a separate initiative and with a much greater emphasis on inter-relationship of various elements on 'Only One Earth', a high level UN Conference on Human Environment was organised at Stockholm in 1972. At this conference, top leaders and thinkers of the international community noted that areas of both poverty and pollution were expanding. They recognised the close link between the increasing incidence of poverty and deterioration in human environment.

After Stockholm, the United Nations Environment Programme was founded and hundreds of conferences, seminars and symposia were held on the subject all over the world and millions of dollars spent. The worsening conditions led the United Nations to establish in 1983 yet another Commission – Brundtland Commission. In its report published under the title, *Our Common Future*, the Commission recommended a pattern of sustainable development.

In June 1992, the UN Conference in Rio de Janeiro created a record in the massiveness of its attendance and publicity. Agreements on seemingly important issues were arrived at and an agenda for implementation – *Agenda 21* – was drawn up for 'sustainable development'. Then came the World Summit on Social Development 1995 and Habitat II 1996.

But what has been the net outcome of all these conferences and commissions? Paradoxically, more people are now living in absolute poverty, more are inhabiting stinking slums, more are being caught in traffic snarls, more are unemployed, more families are split, and more are exposed to new afflictions like AIDS than when the aforesaid Conferences were held and Commission appointed. That is why critics, despite substantial improvements brought about in certain areas[10], have dubbed UN Conferences as 'festivals of hypocricy'.

[10]The UN Agencies have quite a few achievements to their credit–eradication of small-pox and polio, large scale immunisation of the children, raising life expectancy, reduction of hunger and increased access to clean water and sanitation. But, in the context of the mounting problems and the fundamental failure to make the International Economic Order more fair and equitable, the achievements pale into insignificance.

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Now, with much fanfare, the UN Millennium Declaration has been adopted at the Millennium Summit, 2000. It has eight specific goals: (i) eradicate extreme poverty and hunger; (ii) achieve universal primary education; (iii) promote gender equality and empower women; (iv) reduce child mortality; (v) improve maternal health; (vi) combat HIV/AIDS, Malaria and other diseases; (vii) ensure environmental sustainability; and (viii) develop a global partnership for development. Almost all these goals are intended to be achieved by 2015. The resolve to attain them has been reiterated, in one form or the other, in the Monterrey International Conference on Financing for Development, March 2002; Johannesburg World Summit on Sustainable Development, September 2002; and Doha Conference on Multilateral Trade System, November 2002. Later on, in February 2003, heads of multilateral and bi-lateral institutions met at Rome and made a Declaration on Harmonisation. This Declaration required the donor country to respect the priorities of the recipient country which, in turn, had to provide good governance to remain entitled to aid from the donor country.

It is, however, highly doubtful whether the fate of the Millennium Declaration and its auxiliary Conferences would be in any way different from that of the similar Declarations made and Conferences held in the past. The main reason for the doubt is that neither the fundamental unfairness of the International Economic Order is being tackled nor is there any basic change in the mindset of the powerful rich countries. As in the previous three decades, beginning with Pearson Commission in 1968, the financial commitment at the scale required is not forthcoming.

At the Monterrey Conference, the total amount of aid indicated is only 0.26 per cent of the gross national incomes of 22 member countries of the OECD, falling far short of 0.7 per cent needed and also promised earlier, repeating almost the earlier pattern of 30 years. In 1989, for instance, the developed countries provided, on an average, only 0.32 per cent of their GNP for aid to the developing countries, ignoring the recommendations of both

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Pearson and Brandt Commissions. The contribution of the most powerful and affluent nation, US, was only 0.15 per cent of its GNP.

The practical issue is of transforming declarations into "nuts and bolts reality". And this would not materialise unless the United Nations' system is reordered and substantial resources are made available to the developing countries. The World Bank Report, Global Development Finance, 2003, has already sounded a note of warning: "On a net basis, capital is no longer flowing from high-income countries to economies that need to sustain their progress towards the Millennium Development Goals. The shortage is compounded in the poorest countries by a significant drop in official development assistance from bi-lateral donors. The FDI flows to developing countries has also fallen – from $179 billion in 1999 to $143 billion in 2002".

If the goals and targets set out in the Millennium Declaration have to be attained, and if the vicious circle of bad governance being both the cause and effect of the present conditions has to be broken, then the member countries of the OCED must increase official development assistance to the level of 0.7 per cent of their gross national incomes, remove tariffs and quotas on export of agricultural products and textiles etc. from the developing countries, take effective steps to secure implementation of Rome Declaration on Harmonisation and work for making the international Economic Order truly fair and just.

Limitations of Neo-Liberalism and Globalisation

The political and economic ideologies, too, have proved ineffectual in providing a cure to the prevailing maladies. The *mantra* of structural adjustments, globalisation, marketisation and liberalisation gained tremendous prominence in the post-1989 period when the god of Marxism proved to be fake and the communist regimes collapsed, like houses of cards, one by one, in the erstwhile USSR and East Europe. But what has been the impact of this prominence? Structural adjustments did not help the poor.

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On the contrary, as the UNDP studies show, it had negative effects. It deepened inequalities and added to the suffering of the poor. One of the recent UNDP studies has significantly observed:

> By mid-1980's, negative effects of structural adjustment on the poorest population were visible. The transition brought relatively high unemployment, especially among low-skilled, less-educated and long-time state enterprise employees, and drastic declines in Gross Domestic Product, ranging up to 40 per cent in some countries immediately following macro-economic reforms. Transition countries saw an increase in poverty, related both to unemployment and unfavourable temporary economic conditions and many experienced a deepening of inequality in income, capability and security, as private entrepreneurs and professionals gained in wealth and opportunity relative to the rest of the population.

Nobel Laureate Joseph E Stiglitz has pointed out that trickle-down economics stands discredited and empirical evidence shows that it is wrong to believe that a rising tide lifts all boats. "Some times" he says "growth helps, but sometimes it does not. By some measures poverty increased in Latin America in the 1990s, even in many countries where there was growth. It was not just that well-off people gained disproportionately from growth : some of their gains may even have been at the expense of the poor people."

It is being increasingly realised that globalisation is not a charter of progress and prosperity for all. It has, in fact, not only rendered the process and pattern of growth largely ruthless but also resulted in a further acceleration of the pace at which the gap between the affluent and powerful on the one hand and the poor and weak on the other, has been widening. According to the Human Development Report, 1999, the benefits of globalisation in the past decade have been so unevenly shared that the very word has come to aquire in certain quarters a pejorative tinge. The United Nations Millennium Summit held on September 8, 2000, concluded: "While globalisation offers great opportunities, at present, the benefits are unevenly shared, and its costs unevenly

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distributed." In the past 15 years, per capita income has declined in more than 100 countries and individual consumption has dropped by about one per cent annually in more than 60.[11] According to Juan Somavia, Director-General of the International Labour Organisation:

> World per capita income growth has dropped steadily from over 3 per cent in the 1960s to just 1 per cent in the 1990s. Open unemployment and the unorganised, informal economy have expanded and there is a long-term tendency for labour market conditions to deteriorate in several countries. The purchasing power of minimum wages has gone down in many countries.
>
> World unemployment is at the highest level ever, particularly among youth. More than one billion people are unemployed, underemployed or working poor. Youth unemployment reached an all time high of 88 million in 2003. Young people make up 25 per cent of the working population, but almost half of them are openly unemployed. In addition, over 130 million young people are part of the world's working age poor.

Much has been made out of the free flow of capital at the global level and the manifold benefits that would accrue from the foreign direct investment to the poor countries. But what is the actual position? The total stock of foreign direct investment did rise almost seven-fold from 1980 to 1997, increasing from 4 per cent to 12 per cent of World Gross Domestic Product. But very little has gone to the poorest countries. In 1997, for example, about 70 per cent went from one rich country to another, 8 developing countries received about 20 per cent and the remainder was divided among more than 100 poor nations. The truly poor countries received less than 7 per cent of the foreign direct investment to all developing countries in 1992-98.[12] Moreover, if foreign direct investment has

[11] James Gustove Speech: Foreign Affairs Vol. 78 No. 3, 1999.

[12] Bruce R. Scott, Foreign Affairs Volume 80 N. 1 page 164.

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to be beneficial, it has to be accompanied by a performance criteria. As noted by the Report, 2003, of the United Nations Conference on Trade and Development, "If trade is to be an engine for growth of national income and for growth of profits of TNCs, FDI must serve to improve domestic technology, increase productivity and provide for a competitive export sector in high-value-added manufactures, thereby improving the stability of the external accounts and reducing reliance on external borrowing." So far, this performance criteria has not been observed in a number of developing countries.

What makes the matters worse for the developing countries is that what is taking place is not genuine but selective globalisation – globalisation of capital and goods and not of labour and wages. Let alone free movement of labour, if immigration policies of the developed countries are made less restrictive, more persons from developing countries would be able to move to the developed countries to secure jobs and thus help in increasing flows of remittances from richer to poor countries. At present, according to the World Bank, Global Development Finance 2003 "Remittance flows are the second-largest source, behind FDI, of external funding for developing countries. In 2001, workers' remittance receipts of developing countries stood at $72.3 billion, much higher than total official flows and private non-FDI flows, and 42 per cent of total FDI flows to developing countries."

Perhaps globalisation is inevitable; but its inevitability does not mean that it should take the form it has taken. Presently, globalisation is being moulded "not by forces of nature or by the pressures of technology but by powerful governments, envisioned by conservative ideologies and enforced by corporate muscle."[13] It is not taking into account the interests of all the countries and the

[13]A few critics of the type of globalisation that is going one at present, like former Soviet dissident. Aleksander Zinoviev, has gone to the extent of remarking: "This financial totalitarianism has succeeded where Hitler failed: Imposing its will on the world, shattering all cultures to impose its propaganda, destroy all nations and enslave them to the globalist super structure".

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people. All the propaganda in its favour and the pleas of their being no other alternative cannot hide the fact that globalisation needs to be fertilised by forces and values, larger, broader and deeper, than merely the freedom of the capital and the rights of the corporations.

It has been rightly observed that globalisation, as we are witnessing today "is not working for the working people." A sort of race to the bottom is taking place. The developing countries are competing with one another in keeping the wages and other labour standards low. The developed countries which are otherwise strong advocates of free markets and liberalisation resort to severe restrictions when it suits them. Free flow of labour is prevented and protective barriers are raised. In a recent address, Kofi Annan, Secretary-General of the United Nations, has underlined: "The already industrialised countries, while preaching the virtue of free and fair trade, are practicising protectionist policies which actively discourage poor countries from developing their own industries. Such barriers are huge obstacles for developing countries to overcome." Is it not ironical that those who hail the demolition of Berlin Wall as a great historic event, ushering in an era of liberalism and freedom of movement, should themselves be raising higher and stronger walls in the shape of tariffs and visa restrictions and make it virtually impossible for the developing countries to earn an honest and decent living through trade?

The Human Development Report, 2003, has underlined: "Trade policies in rich countries remain highly discriminatory against developing country exports. Rich countries' agricultural subsidies total more than $ 300 billion a year – nearly six times official development assistance."

Thus, the position in theory notwithstanding, in actual practice the powerful countries deny any real opportunity to the poor countries to export their way out of poverty. On the other hand, the unrestricted opening up of capital markets in the developing countries is providing ample opportunities to highly resourceful

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multinational companies[14] of the developed countries to virtually take over a major chunk of local business and trade – a process that could bring in colonialism in a subtle and sophisticated way.

The position today is that the world economic scene has come to be dominated by giant multinational corporations whose tentacles are spreading far and wide and whose powerful wings are propelled by a free flow of capital. "Of the 100 largest economies in the world, 51 are corporations. Annual gross sales at General Motors exceed Thailand's gross national product; General Electric is larger than Poland; and Wal-Mart sells more in a year than what Malaysia produces. The combined annual sales of 200 global corporations equal one-fourth of the world's gross domestic product. And corporate wealth is growing: The ten largest companies in telecommunications controlled 86 per cent of the $262 billion market; the top ten in pesticides, 85 per cent; in the computer industry, 70 per cent; in pharmaceuticals, 35 per cent; and in commercial seed, 32 per cent."[15] Presently, the world's 500 largest multinational corporations account for more than half of the world's trade and 80% of all foreign investments. Such a state of affairs is bound to increase both inequality and poverty and add to the problems of the developing countries. From these countries, multinational corporations virtually extract cheap labour and easy environmental standards and threaten to move out if strict standards are sought to be enforced. There is a well-based apprehension that "in the not-too-distant future the powers of the multinational corporations may overtake that of the nation state."

To say the least, a highly unfair and uneven playing field has been created and the governments and peoples of the developing

[14]It has often been commented that the world is not being globalised, it is being Americanised. Martin Sorrel, Group Chief Executive of WPP Group PLC has observed: "In many industries the United States accounts for almost 50 per cent of the world market. More than half of any business activity is controlled, or at least influenced, by the United States. About two-thirds of advertising and marketing services are concentrated in the USA. And the investment banking industry is also dominated by US franchises".

[15]Robert L. Borosage and William Greider: *Global Fairness: The Historic Debate.*

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countries have been put permanently on the wrong side. They, in fact, appear to be powerless in a world that is being increasingly dominated by "faceless, passionless capital flows." They are being led by economic forces beyond their comprehension and control. The 'virtues' of globalisation and free markets are being so articulated that they look beneficial to all. But, in reality, they are making the strong stronger, the affluent more affluent and resourceful still more resourceful. Instead of closing the gap between developed and developing countries, globalisation is widening it further.

The super-rich are also getting richer. In 1998, the top 200 billionaires had combined income of $ 1042 billion. It shot up to $ 1135 billion in 1999, in just one year. This steep increase has to be seen in the context of the fact that the combined income of 582 million people living in the least-developing countries was only $ 146 billion in 1998-99. Clearly, the pattern of resource-allocation and income-distribution that has come into being in the wake of increased emphasis on globalisation has deepened distortions and caused reduction in the competitive capacities of the poor nations. What, in essence, is being practised today – wittingly or unwittingly – under the cover of globalisation, is social, economic and cultural Darwinism in which the weaker elements all over the world are bound to be relegated to the background by the stronger ones. "Fantastic fortune has been accumulated by a few even as the poverty in which many live has deepened."

What is still more devastating for the developing countries is the speculative casino economy and its destabilising effect. The financial crisis that started in 1997 in Thailand, one of the three 'Asian tigers', caused recession in about 40 per cent of the world economy and brought acute distress in governments and millions of people in the developing countries. Clearly, these countries cannot cope with such unforeseen shocks. Presently, speculative capital-flows average about $1.5 trillion a day, causing booms and busts, and injecting a state of uncertainty even amongst those who may like to remain outside its orbit. "The great difference between

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any ordinary casino which you can go into or stay away from, and the global casino of high finance, is that in the latter, we are all involuntarily engaged in the day's play."

The limitations of the type of neo-liberalism and globalisation that is being witnessed today are all too clear. But the proponents of free market are in no mood to relent. They, in fact, want more privatisation and more rolling back of the state. In this regard the following observations made in the Overview of the Report, 2003, of the United Nations Conference on Trade and Development are pertinent:

> Fanaticism, according to the Spanish philosopher George Santayana, calls for a doubling of effort in the face of failure. Despite its pantheon of critical and creative minds, economics is also susceptible to such thinking. Indeed, as inflation has subsided and market forces enjoy an increasingly free reign, the call for developing countries to pursue greater fiscal discipline, more deregulation and even faster liberalization has intensified, even as growth prospects have dimmed in many places and poverty levels have risen.
>
> In the 1920s, when the "market juggernaut" was rolling at full steam, John Maynard Keynes called for a "new wisdom for a new age" with "new policies and new instruments to adapt and control the workings of economic forces, so that they do not intolerably interfere with contemporary ideas as to what is fit and proper in the interests of social stability and social justice". Open-minded, tolerant and pragmatic approaches to the development challenge, consistent with today's increasingly interdependent world, are urgently needed to place economic policy once again at the service of social justice and stability.

Unfortunately the developing countries are facing a catch 22-position. They can neither leave the "market juggernaut" nor find means within it to provide for social justice and stability.

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DIFFICULTIES IN EFFECTUATING GOOD GOVERNANCE DUE TO CHARACTER OF THE CONTEMPORARY WORLD

It should be clear from the character of the contemporary world that I have brought out above, that a country like India is beset with almost insurmountable difficulties in effectuating good governance, particularly through a non-invigorating and non-inspiratory approach that it has followed so far. It is so disadvantageously placed in the global order that it can neither break the vicious circle caused by the social and economic backwardness of its past nor attain new capacities to compete with other countries. With most of the resources vested in the hands of a few rich and powerful countries and almost intractable problems of vast magnitude and complexity remaining in the lap of the others and with the overall system tilted heavily in favour of the former and with the continued increase of the capacities' gap between the two, it seems well nigh impossible for the latter group of countries to remove poverty in a short time, attain sustainable development and provide a fertile ground in which socially harmonious societies and responsive, accountable and truly democratic governments could grow. *Massive imbalances of the present times, coupled with the system which continues to deepen these imbalances, cannot go hand in hand with good governance. Neither true democracy nor true sustainable development is attainable by developing countries. It is not merely their technical or managerial imcompetence or political mal-adroitness that stands in the way. It is also the circumstances in which power and resources have shifted upward from weaker states to stronger ones and also from State actors to private hands. The rules of the game for national governance are, to a substantial extent, determined by international structures.*

Illustrations

Let me illustrate my proposition further. Good governance, as has been noted in earlier chapters, must be participatory, transparent, responsive, accountable, efficient, effective, competitive and

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economical, and should also promote sustainable development, equity, equality, gender balance, tolerance, and diversity. Placed as they are, can developing countries like India ever attain capacities to meet these requirements? Does not the very nature of the global economic system stand in their way? Clearly, the answer to these questions is that they cannot attain the requisite capacities and overcome the fundamental problems caused by the system itself.

Take, for example, the requirement of promoting sustainable development. In a set-up, wherein India has to export more and more and compete with other developing countries in most of the arenas of exports, it has to keep the wages low, compromise with the norms of healthy environment and put more than bearable pressure on natural resources. Proper land, housing and civic facilities cannot be provided to the labour. Slums and squatters' settlements grow. Living conditions become miserable. Environment within these settlements and around are severely undermined. No matter how many well-intentioned declarations are made and how many breasts are beaten by social activists and human rightists, overall conditions go on deteriorating. The hard fact is that the compulsions of competitive exports force India to cause unhealthy environment which, in its own way, extracts heavy social and economic costs. Thus, to succeed in its export drive, India has to virtually export its environment. This, undoubtedly, brings in a little more foreign exchange and results in a small improvement in the growth rate. But in the process, its social and environmental capital gets depleted and its overall capacity to secure sustainable development is further reduced.

A simple question that needs to be pondered over in this connection is: how is it possible to ensure sustainable development if the overall forces propelling the system are causing rapid growth of slums and squatters' settlements, be they in the form of the *jhuggi-jhompris* of Delhi, the *chawls* and *zopadpattis* of Mumbai, the *bustees* of Kolkata, the *katchi-abadi* of Karachi, the *baladis* of Cairo, the *kampungs* of Jakarta, the *iskwaters* of Manila, the *villas miseria* of Buenos Aires etc.

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There are already about quarter of a million designated slum-settlements, with about 921 million inhabitants, in the world. Delhi, Mumbai, Kolkata, Karachi and Dhaka alone account for about 15,000 of these settlements, encompassing a population of about 20 million. The least developed countries have as many as 78 per cent of their residents living in slums. By 2030, slum-population of the world is projected to touch the 2 billion mark. Overwhelming majority of it would be living in the developing countries, which would be not in a position to provide municipal service[16] worth the name.

Most of the cities[17] of the developing countries in the near future, would, if present trends and attitudes continue, be nothing but slums, semi-slums and super-slums, with practically no facility of piped water, sanitation and health care. The living conditions would be at par with the most poverty stricken rural areas of the present. What is no less chilling, the ecological limits would be reached soon. Already, many cities are on the verge of depleting their underground water reserves and are polluting their acquifers rapidly.

As elaborated in chapter VIII on Urban Governance, on the basis of the latest data, the world today is witnessing a new phenomenon – super-urbanisation which is accompanied by super-impoverishment of urban poor and also by the extreme shortage of urban infrastructure and civic facilities. The near intractable problems which this phenomenon is throwing up are being compounded by the laissez-faire globalisation which involves "tearing down of trade barriers, the liberalisation and privatisation of national economies, structural adjustment programmes imposed by the International Monetary Fund, and the lowering of tariffs promoted by the World Trade Organisation."[18] In this connection,

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[16]For detail in respect of phenomenon of increase in the urban population and the limited availability of municipal services, see chapter VIII, titled: Urban Governance.

[17]Contrary to general impression, about 75 per cent of increase in the coming two to three decades would occur in small and medium-size cities which have little or no planning or civic amenities.

[18]Guardian Newspapers 2004; based upon a UN Study.

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The Challenge of Slums: Global Report on Human Settlements, 2003, has significantly observed:

> The major disadvantage of globalisation is the wholesale loss of formal-sector for opportunities in both the public sector and the private import-substitution industries, so that informal-sector jobs, with no security and often with subsistence wages, are all that is left. As well, inequality increases as the part of urban society able to access global opportunities increases its income. This means that the prime resources of the city are increasingly appropriated by the affluent. And globalisation is inflationary as the new rich are able to pay much more for a range of key goods, especially land. This is exacerbated by removal of the price fixing on subsistence goods, and increased utility charges through privatization and the removable of cross subsidy. The poor are marginalized in the worst parts of the city – the slums. The ability of national governments to act on their behalf is curtailed while local governments in poor areas have no tax base with which to assist. In addition, social cohesion is damaged through a bewildering array of new ideas, images and international norms, and through the general precariousness of existence, all of which undermine the traditional bases of authority.

Clearly, in the backdrop of the factors and forces indicated above, it is wholly unrealistic to expect developing countries like India, even if they have the best of governance machinery, to secure sustainable development or solve the problems of slums or get rid of the 'black-holes of misery' that are caused by phenomenal growth of the informal sector:[19] Blaming bad governance for the present

[19]The collapse of the formal sector and its replacement by the informal sector in the developing countries is seen as a direct consequence of liberalisation and Structural Adjustment Programmes. In a study conducted by ILO in 1999 in about 40 developing countries, it was found that over one-third of the total urban labour force was engaged in the informal sector. The employment in this sector includes such petty jobs as street vendors, shoe-shining, rag pickers, rickshaw drivers etc. It was estimated that more than 90 per cent of the additional jobs in the next decade would be in informal sector.

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conditions would not only be unfair, but also amounts to an attempt to divert public attention from the real and more fundamental reasons. Undoubtedly, bad governance has to share its part of the blame; but it is the overall economic order which operates at the international level and the levers of which are in the hands of powerful rich nations, that is largely responsible for the dirt, dross and darkness that prevails in the slums, where poor competes with the poor, wages are determined by cut-throat competition and job security is non-existent.

It is, therefore, of utmost importance that apart from improving governance, emphasis is laid on the urgent need for reorienting the global forces, reforming the international system and persuading the powerful rich nations to change their attitude and become conscious of the historical wrongs that had been done to the present-day developing countries during the period of colonisation. So far, the attitude adopted by the powerful rich nations and the action taken by the United Nations and its agencies, as briefly indicated in the earlier portion of this chapter, has been disappointing. The outcome of the recent United Nations Millennium Declaration, which aims "to significantly improve the lives of at least 100 million slum dwellers, by 2020", is not likely to be different. In any case, this Declaration attempts to ameliorate the lot of about 1/10th of the existing population of slums and that, too, by 2020, when the slum-population would have touched 1.5 billion mark.

Take another attribute of good governance – equity. Is this attribute attainable in a system which is propelled by the forces of ruthless competition and which provides a marked advantage to those who possess far greater resources and occupy a place far ahead of others, even before the start of a competitive race? In such a system, those who are poor and resource-less are relegated and those who are strong and resourceful climb the ladder still faster. The poor nations and poor people get further marginalised, suffer all sorts of disadvantages and deprivations and experience a decline in their capacities and capabilities as compared to those of rich nations and rich people. Instead of the goal of equity being reached, it is

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the inequities that make a further stride. The UNICEF, in its report on the State of the World Children, 2000, puts the finger at the right spot when it says, in the section on the poverty trap: "The number of people living in poverty continues to grow as globalisation proceeds along its inherently asymmetrical course: expanding markets across national boundaries and increasing the incomes of a relative few while further strangling the lives of those without the resources to be investors or the capabilities to benefit from the global culture. The majority are women and children, poor before, but even more so now, as the two-tiered world economy widens the gap between rich and poor countries and between rich and poor people."

Yet another basic feature of good governance is democracy. But can true democracy materialise in the absence of a healthy social and cultural base? Clearly, such a base cannot come about, unless at least elementary education is provided to almost all the people and they are put at such a level of understanding and in such frame of mind that they are able to rid themselves of the social prejudices and other unhealthy legacies that they acquired during the period of India's cultural decline and degeneration. Only then they would not remain, as they are at present, ready-made material for exploitation by the unprincipled politicians who, under the cover of free speech and propaganda, not only perpetuate but also strengthen narrow loyalties and cause conversion of minor ethnic and other differences into wars of attritions, involving violence, terrorism and subversion, thereby further weakening the forces of true democracy in the country and giving rise to a wave of cynicism and frustration in the nation.

In this connection, the following observations of a perceptive writer, Robert Kaplan, author of *The Coming Anarchy*, appear to be extremely relevant:

> Democracy tends to emerge best when it emerges last. It should be the capstone to all other types of development, when you already have middle classes that pay income taxes, when you already have institutions run by literate bureaucrats,

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when the major issues of a society (such as territorial borders) are all resolved and you already have a functioning polity. Then, and only then, can democracy unleash a nation's full potential. Right now, we're seeing democracy evolve in many places around the earth accompanied by unemployment and inflation rates every bit as dire as Germany in the 1930s, when Hitler emerged under democratic conditions, and in Italy, when Mussolini came to power in the early 1920s. I'm not arguing against democracy, but I believe democracy will be another destabilising factor.

Take yet another requirement of good governance – gender balance. Viewing the issue in the background of its history, it will be noticed that, with the adoption of the United Nations Charter in 1945, the member states committed themselves to the ending of discrimination against women. This commitment was repeated in the Universal Declaration on Human Rights. A more clear and precise shape was given to it, first in 1966, through the International Covenant on Civil and Political Rights, and then in 1979 by way of the Convention on Elimination of All Forms of Discrimination Against Women. Earlier, in 1975, the issue was put at the centre-stage by the UN by designating that year as the Year of the Woman and the decade, 1975 – 1985, as the Women Development Decade. To deal with the problem in still greater depth four United Nations Conferences were held between 1975 and 1995. 'Beijing Platform' (1966) was another great addition.

Quite a few developing countries were governed, for a fairly long time by powerful women Prime Ministers. For example, South Asia has seen Indira Gandhi in India, Benazir Bhutto in Pakistan and Khaleda Zia in Bangladesh. But they could not cause any appreciable improvement in the lot of women. This happened, not because they were lacking in sympathy or they were unaware of the measures that were needed, but because they remained prisoners of the economic, social and cultural forces operating at the international level and within their own nations. According to

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the UNDP's "gender disparity index", India ranks 103, Pakistan 107 and Bangladesh 116 amongst 137 nations.

Glossing Over the Fundamental Issue

From the foregoing discussion on four basic attributes of good governance – sustainable development, equity, democracy and gender balance – it should be clear that the system that operates at the global level glosses over the fundamental issue of creating social, economic, political and cultural capacities of the requisite level. On the other hand, it creates an atmosphere which, in essence, cuts at the roots the efforts that these countries make in bringing about solid, sound, fair, just and truly democratic machinery of governance. And whatever little success is achieved in attaining higher capacities pales into insignificance as compared to the capacities that the developed countries add in the meanwhile to their existing capacities. Thus, the gap between two sets of countries, developed and developing, goes on widening. And this ever-widening gap further puts the developed countries at a still more advantageous position in a competitive economy which is globalised in terms of capital but not in terms of wages and in which they can attain, at a comparative level, far greater technological, scientific and military power than the developing countries.

As long as the drama of global politics is played with the same plot as at present; as long as the high and mighty – G 7, Super-power and multinational corporations – persist with the current attitude and practices; as long as the global economy is pushed by the forces which increase inequalities, deepen poverty and compel the developing countries to participate in the 'race to the bottom'; as long as quite a few nations remain exposed to the risk of sudden instability on account of the speculative casino economy and also by the power of 'mafia, money and muscle'; and as long as globalisation is not underpinned by the desire to move the deprived and disprivileged up the economic and social ladder first, there is no hope of conditions emerging in which developing countries like India can set their internal house in order and acquire the requisite capacities to deliver good governance. On the

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other hand, even their existing governance capacities would be badly undermined by the social and economic tensions which are caused by the kind of globalisation that we are currently witnessing. The capacities to govern internally are dependent upon the social, economic, political and cultural environment that is created by the system that operates at the international level and also by factors and forces whose potency and reach have increased manifold after 'market fundamentalism' has established its sway, in the wake of the Washington Consensus, on the global economy.

Tragedy

The debilitating conditions, created by the global system, for developing countries like India, have to be removed if they are to be put in a position to improve their governance. At present, it is extremely difficult, if not impossible, for them to do so, even if they bring the necessary vision and will to the task. The system injures and bleeds them even before they can commence their battle to attain good governance and to eliminate internal weaknesses of their social, economic and political structures. On the other hand, the system, by its very nature, generates forces that add to the existing inequities, injustices and aberrations, causing them to assume more sinister forms which are generally beyond the governance capacity of the developing countries. Global fairness is an essential pre-requisite to facilitating good governance in these countries. Without fundamental reforms and remodelling of the present-day global system, neither can deprivation and destitution be removed by them nor true democracy and human rights secured, let alone balanced and sustainable development.

Those who are recommending good governance for the developing countries and simultaneously applauding the present pattern of globalisation do not seem to understand the contradictions with which they are deceiving themselves and the world around. The tragedy of today's globalisation is it is taking place in an ethical vacuum and with an approach that is not only unfair but also superficial.

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CHAPTER X

EXPERIENCE OF THE OTHER COUNTRIES

I do not want my house to be walled in on all sides and my windows to be stuffed. I want the cultures of all the lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any.

MAHATMA GANDHI

Reforming Public Service is fundamental to everything that today's Labour Party is about.

TONY BLAIR[1]

Before proceeding further, it seems necessary to briefly indicate what, of late, has been happening in other countries – what fresh thinking has been done, what views propounded and propagated and what administrative models tried and with what results.

Almost all the countries have, in recent years, come under the spell of the New Public Management movement, the dimensions and the depth, the positives and negatives, of which have not yet been fully grasped. *No one can, however, deny the world-wide impact of this movement.*[2] *As a noted scholar of the subject, Donald Kehl, has put it: "The scope, breadth and pace of the change proved stunning and universal. It proved nothing less than a global revolution."*

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[1]Financial Times: Interview; December 10, 2002.

[2]Within the overall movement, the pattern of reforms has varied. The reforms have been comprehensive in the United Kingdom, New Zealand and Australia. North America and Scandinavian countries have undergone moderate reforms. The reforms in Germany, Sweden and Norway have been limited. While the moderate and limited reformers have been selective in picking up components of New Public Management, the comprehensive reformers have gone all out for marketisation and restructuring of public services.

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The New Public Management is essentially market-based public administration. It is entrepreneurial in spirit and its philosophical foundations are to be found in the New Right School of Thought. It aims at being focussed, fast, friendly and flexible and its five basic principles are: (i) downsize the government; (ii) separate policy from service-delivery; (iii) adopt private sector style of management in public sector; (iv) set up performance based organisations; and (v) put the customer at the centre of public service concerns. In fact, the current dominance of New Public Management is a part of the dominance of the forces of globalisation, marketisation and liberalisation. For any State apparatus to be competitive these days, it has to be efficient, effective, economical and dynamic.

DEVELOPMENT IN THE UNITED KINGDOM

Since our system of administration is still based largely upon the principles and practices evolved during the British rule and since we have, even after Independence, done little original thinking on the subject, it would be both relevant and useful to first describe and discuss the changes that have recently been brought about in Britain in the area of public administration. Here, after 1979, when the Conservative government, headed by Mrs. Margaret Thatcher, came to power, a series of innovations were introduced under the genre called 'new managerialism'. The attempt was to roll back the boundaries of the State, curtail the role of public sector and create a new style of governance and a new form of civil service. The programme had broadly three parts. Part one pertained to reduction in the size of civil services. The second part covered privitasation of national industries like British Gas, British Steel and British Airways. The third part related to fundamental restructuring of the public services.

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2 contd. In this chapter, the countries which have witnessed comprehensive reforms have been taken up for analysis. Special treatment has been accorded to the U.K. - not only because reforms have swept larger areas here but also because India and the U.K. share some common civil service traditions. The recent trends in other countries, such as Scandinavian countries, have been referred to.

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In doing what the Margaret Thatcher and John Major governments did during the Conservative regime, from 1979 to 1997, they were actuated by three main considerations – ideological, financial and administrative. The ideological consideration was that economic freedom would foster enterprise and promote 'property and share owning democracy', while the financial and administrative considerations sprang from the need to cut the 'fat and flabbiness' of the government and semi-government organisations, curtail treasury lending and public sector borrowing by transferring a number of functions to private sector. At the centre of the reform agenda was the belief that the public services tended to be inefficient, costly and lack dynamism and drive.

While retaining some of the characteristic features of the British Civil Service – political neutrality, recruitment and promotion on merit, accountability to Parliament through Ministers etc. – radical changes were made through new concepts and structural changes in the shape of such programmes as *'competing for quality'*; *'value for money audits'*; *'citizens' charter'*; and *'ethics and public conduct'*. These programmes were evolved and enforced after considering reports submitted by high-level committees and review groups, appointed by the British government from time to time, to study different aspects of the civil service system and suggest measures to make it more efficient, effective, open, responsive and economical.

Backdrop

The characteristic features, referred above, came into being as a consequence of the civil service philosophy propounded by the Northcote-Trevelyan Committee on the recommendations of which first the Indian Civil Service and then British Civil Service were set up in 1854 and 1870 respectively. It was because of these features that both the services acquired worldwide fame for independence, impartiality and efficiency. The model was basically a Webberian one – hierarchical, rational, apolitical, with an assured career and opportunity to advance. While in India, it served as an effective instrument of colonial administration, in Britain, it functioned

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like "a neutral machine wound up and kept ticking by an elected government, supported by Parliament representing the people."

The post-war period, from 1945 to 1967, particularly the period of Attlee's Prime Ministership, could be described as the golden age of the British public sector, when its domain was radically expanded. The air was permeated with socialist ethos. The mood was altruistic and faith in the state's capacity to solve the problems of housing, education, transport and other civic services was unwavering. Britain moved fast towards the realisation of the idea of a welfare state. But by the late sixties disillusionment had set in. A sizeable section of the British public began to look at the public sector as inefficient, wasteful and even corrupt. A few scandals like the Poulson Affair[3] lowered its image and militant trade unions undermined it further. A belief also grew that a big government, by its very nature, was a bad government. The devaluation of the pound in 1967 and the International Monetary Fund crisis of 1976 reinforced this belief. A serious thought began to be given to change the system and to reform the public services. A Committee under Lord Fulton was set up. Its report, published in 1968, was the first step in this direction. It was a landmark report. It set the process of reform and review in motion.

It was the Fulton Committee which first recommended the setting up of executive agencies through the sub-division of departments on a functional basis. This recommendation did not receive much attention in the 1970s. But in the 1980s, it emerged in a different form and "proved to be the basis of the most far reaching reforms in the civil services since Northcote-Trevelyan report." In this regard, the Fulton Committee had said: "The work of departments can be so organised as to enable the responsibility and authority to be defined and allocated more clearly than they

[3]John Poulson was an influential architect whose exploits led to a big bribery scandal involving politicians and officials. The public outcry against fraud and corruption in this case and a few other cases of misdeeds in public sectors forced the Labour Government, in 1974, to set up a Royal Commission on Standards of Conduct in Public Life, under Lord Salmon.

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often are at present. Individuals and units could then be called to account for performance which is measured as objectively as possible. We consider this principle of organisation to be a necessary condition for achieving maximum departmental efficiency and for enabling men and women to get the greatest satisfaction from their work."

modernising the machinery - upgrading the skills of the mechanics

New Model

Since 1979, however, the orientation of the reform process has undergone a change from 'strategic management of bureaucracy' to evolving a system that is capable of showing greater enterprise and achieving greater efficiency and at the same time ensuring a higher degree of accountability. *Earlier, the reform process was largely confined to modernising the machinery of government and upgrading the skills of the mechanic of that machinery, that is, the civil servant, but after 1979, both the structure and culture of civil services were sought to be transformed. And this venture was considered so successful by its votaries that they labelled it as being revolutionary. The Government of the day itself termed it as a 'quiet revolution', the biggest shake-up of the civil services in a country.*

In its election manifesto, 1983, Mrs. Margaret Thatcher's Conservative Party claimed: "Far reaching changes were carried through to secure greater economy, efficiency and better management in government. This has saved the taxpayer about 500 million pound sterling a year. The efficiency scrutiny launched by Lord Rayner and other money saving techniques have identified savings worth 400 million pound sterling a year to the taxpayer. We have abolished 500 Quangos (quasi non-governmental organisations) and done away with no less than 3000 different types of government forms."

This 'revolutionary model' was basically entrepreneurial in character; it introduced business-like practices in the functioning of the civil services. In its earlier phase, it comprised six major programmes.

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'Competing for quality' was the core programme of the new model. The aim of this programme was to secure 'efficiency savings' by opening as many public activities as possible to competition either by way of contracts or by resorting to privatisation. Closely linked with this programme were two other programmes – *'value for money audit'* and *'private finance initiatives'*. Under the former, performance was evaluated with a view to ascertaining whether the money spent had yielded the best results or not; the latter programme promoted partnership between public sector companies and private enterprises.

The programme that attracted most attention, however, was the *Next Steps* under which a number of free-standing, semi-autonomous, executive agencies were created by splitting the unified structure of Government organisations. The head of an executive agency was not necessarily a civil servant promoted on the basis of his seniority or performance in government service, but was chosen on the basis of competition from the best available talent in the public or private sector. The executive agency enjoyed internal flexibility and could function on the basis of business principles, adopting management practices that it considered best to secure the desired results. At the same time, it was held fully accountable for its performance and achieving key targets that were defined and laid down beforehand.

Formulation of a *'citizens' charter'* and *'opening up'* to public scrutiny all government decisions, except those that were required to be kept secret on account of state security, foreign relations etc., were the two other programmes introduced as a part of the overall framework of reforms. The underlying idea of the Citizens' Charter was to treat the citizen as a consumer and to elicit his satisfaction by providing to him high quality service. Emphasis was on consumer responsiveness. It was consumers' interests and values that got precedence over any form of standardised service. The Conservative Party's election manifesto, 1992, said: "The Citizens' Charter addresses the needs of those who use public services, extends people's rights, requires service to set clear standards – and to tell

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the public how far these standards are met." It was propagated that the Charter would act as an organisational and management tool for changing the behaviour of public servants and make them more responsive to the people's needs and aspirations.

All the above six programmes of Civil Service Reforms were designed to inject principles and practices of managerialism into the functioning of the civil services, make them more enterprising and dynamic and ensure that they did not remain, as was believed by many critics and scholars, "too large, too extravagant, too inefficient and too privileged." The culture of paper-work and closed circle was sought to be changed to a culture of flexibility and interaction, dispensing with hierarchical and rigid patterns and placing greater emphasis on attainment of precise and clearly defined goals. Efficiency of the service delivery-system was to be taken as a primary objective.

Positive Aspects

The outcome of these measures, introduced by the Conservative governments of Margaret Thatcher and John Major, during the period, 1979-1997, had both positive and negative aspects. In terms of efficiency, effectiveness and economy, they have yielded good results. The government machinery was radically restructured. It was reduced to a manageable size and its satellite units – executive agencies – given autonomy and also made fully accountable. In 1979, there were about 750,000 civil servants centrally recruited, with uniform pattern of pays and conditions of service. By 1997, this number had come down to 500,000 spread across hundreds of executive agencies, with a variety of pay-patterns, and recruited through several Recruitment and Assessment Bodies.

A great deal of decentralisation of the executive, managerial and service delivery functions, within a framework of continuing policy control, was brought about. By the end of 1997, there were 138 executive agencies, having a staff strength of 325,575, in addition to 377,480 civil servants of the executive units of custom and excise organisation. There was a large-scale 'agencification' of civil services.

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About 76 per cent of them were, in 1998, working in executive agencies.

The chief executives of these agencies were predominantly recruited through open competition. In 1997, about 34 per cent of them were from outside the normal civil service. They were employed on renewable, fixed-term contracts, with salaries linked to performance. They virtually constituted a new breed of civil servants[4], with a different culture, motivation and management skills.

Substantial benefits also accrued from 'Private Finance Initiative'. A number of important projects were underpinned by this programme. These projects included the Channel tunnel, Toll bridges, hospitals and prisons.

Negative Aspects Not model but muddle.

While positive features of the new model could not be disputed, it gave rise to a number of doubts and misgivings. It was criticised as "not a model but a muddle which sets up a variety of 'quasi-responsibility' for which we have no agreed constitutional label." Two-thirds of British civil servants came to work in agencies. They thought of themselves as belonging to a particular agency, not to a large family of civil servants. Britain got a civil service that was unified but not uniform. It was less homogeneous and less self-assured than hitherto before. 'The next steps programme', together with the process of contracting out key functions, led to effective Balkanisation of the civil services.

It was also not clear how, in practice, business-like practices and commercial considerations would be balanced against considerations of equity, impartiality and incorruptibility which were hallmarks of a healthy and accountable Civil Service. The business ethos of the new initiative were really not reconcilable

[4]Recruitment processes and training programmes also underwent a significant change. The Civil Service College became an adjunct of a new Institute – Centre for Management and Policy Studies.

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with the basic rationale of an independent Civil Service. In their study on Public Service Accountability, J.G. Jabbra and O.P. Dwivedi have pertinently remarked:

> It should be made absolutely clear to those who seek further reforms of government management that the dream of a public sector that behaves like a private industry is impracticable. Not all government departments can act as if they were divisions of a large Corporation or their survival would largely depend upon their ability to create profit. Time and again, the recommendations of various Commissions of Inquiry have failed to create a business like environment in the public sector.

Tensions and conflicts often arose between chiefs of executive agencies and ministers, between agencies and central departments like Treasury. In theory, it was easy to conceive of separation of policy functions assigned to the Minister and executive functions entrusted to the head of the agency. But, in practice, this neat distinction was not available. The problems in this arena got highlighted by the functioning of the Child Support Agency. Its failings, it soon became clear, were due to poorly conceived policy and inadequate provisions of the Child Support Act. Likewise, the fault lines of the Home Secretary's policy caused deep cracks in the edifice of the Prison Service Agency.

Doubts have also been expressed about the soundness of Private Finance Initiative. David Walker has observed:

> Put simply, PFI is a way of getting public buildings built or refurbished without recording public spending in the national accounts. It was dreamt up by John Major as yet another wheeze for a public unwilling to face the true cost of the public services it says it wants. PFI is what poor people used to call 'never-never'. You get something bright and shiny now but end up by paying a lot more than its present cost over the long run.

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Public Perception

Ultimately, what mattered was the public perception – how it viewed the positive and negative aspects of the new model. The position in this regard was rightly brought out by a British Council publication (1996):

> The customer may be king in the market-place but the citizen is king in the arena of competitive politics, both as taxpayer and voter. The ultimate sanction in the hands of a dissatisfied citizen is to vote out of office those politically responsible for poor or inadequate public services. Containing costs, introducing competition and setting performance standards hit the right notes for those concerned with good management and efficient use of resources. But they represent a specific political approach to public-sector reform, and so carry a political risk: if they result only in inadequate resources, fragmented and inadequate organisation and lower levels of service, the citizen as voter might enact a political revenge. Such a response would undermine the entrepreneurial model of public-sector reform. On the other hand, the citizen as taxpayer might be willing to bear the possible costs of the entrepreneurial model in order to enjoy the benefits of lower direct taxation and increased choice between providers of service, and even between levels of service. Ultimately, the choice between the entrepreneurial model and the public-interest model involves a collective decision about where the boundary between public and private sectors should lie.

The Conservative Party's repeated victories at the polls, during the period 1979-1997, showed that the public, by and large, was happy with the evolution of the new managerial model which was introduced with a great deal of fanfare by Mrs. Margaret Thatcher and implemented resolutely by her. The citizen indicated his preference for the entrepreneurial model over the public interest model. The latter, in the perception of most citizens, had become inefficient and incapable of responding to the new needs. But the

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moment the citizen thought that there was more style than substance in the reforms and public welfare issues were being relegated, the voters ousted the Conservative Government and expressed its preference for what came to be known as *The Third Way*[5] – and what was neatly presented to the people by the New Labour as a new set of reforms.

The Third Way

The Third Way is a term that has recently gained prominence in politics, after the publication of a small book, with the same title, by Tony Blair and Gerhard Schroeder. *The Third Way* claims to offer *a framework of governance that avoids the extremes of both an interventionist state and a state in which market is the king.* It attempts to develop a new form of 'left-of-centre' politics and to carve out a middle path between a 'highly statist brand of social democracy' and unabashed right wing capitalism. It believes that it is possible to simultaneously attain dynamic economy as well as social peace and harmony. It appreciates the advantages of 'creativity, diversity and achievement' that are inherent in marketism. But, at the same time, it recognises that the markets do not create 'safe neighbourhood or clean streets and pathways'.

The Third Way accepts the need for neo-liberal reforms with a view to achieving greater economy, efficiency and effectiveness in governance, but it refuses to believe that such reforms can solve the social problems like those pertaining to national and international crime, family-instability and fall of standards in maintaining social and healthy community life. In such matters, *The Third Way* seeks strong intervention of the State. As Tony Blair once put it: "The State must be tough on crime and tough on the cause of crime."

[5] *The Third Way* offers a framework that attempts to avoid both the bureaucratic, top-down Government favoured by the old left and aspiration of the right to dismantle the government altogether. It is a sort of middle course between new liberalism and a statist brand of social democracy.

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Infirmities

The Third Way, as is being presently practised in Britain by the 'New Labour' Government of Tony Blair, is showing a number of infirmities. First, it is becoming increasingly clear that, as a doctrine, it is vague and imprecise. "It has become so wide that it is more like a political parking lot than a highway to anywhere in particular."[6] It is basically shapeless. "Trying to give an exact meaning to this philosophy is like wrestling with an inflatable man; if you get a grip on one limb, all the hot air rushes to another".[7] Secondly, when viewed in concrete terms, it is no different from the right wing philosophy. The only difference is that the dogma of Thatcherism has been toned down and it is being presented in a more acceptable form – "Mrs. Thatcher without a handbag." Shorn of its verbiage, "*The Third Way* expresses the world-view of the multinational corporate sector. It has no new strategy."[8] Finally, *The Third Way* is, in essence, self-contradictory. It has been rightly observed: "The new global economy which *The Third Way* aggressively promotes, undercuts third way premises every day."

No wonder, *The Third Way* of Tony Blair's New Labour Government has not materially altered the political, economic and administrative landscape of Britain. The Civil Services are functioning practically in the same way as they functioned under the Governments of Mrs. Thatcher and John Major – the same emphasis on 'managerialism', the same 'next step agencies', the same 'value for money', etc. Quasi governance, in fact, has increased under Labour. The Select Committee of Parliament on Public Administration, under Tony Wright, Member of Parliament, has brought out that, in 2000, as many as 823 central government non-departmental public bodies were functioning, besides 111 regional bodies in England, 94 in Scotland, 55 in Northern Ireland and 47 in Wales. With regard to the programme of 'Private Finance

[6]Jeff Faux, 'Lost on The Third Way', Dissent (Spring 1999).
[7]'Goldilocks Politics':The Economist (December 19, 1998).
[8]Jeff Faux, 'Lost on The Third Way' Dissent (Spring 1999).

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Initiative', too, the same trends continue. During the first two years of 'New Labour' government, about 4.7 billion pounds worth of deals were signed, with another 11 billion pounds worth projected for the period 1999-2002. Within the new health services alone, 13 new hospital buildings would be underpinned by the PFI deals.[9]

Britain remains a champion of marketism and continues to adhere to its commitment of expanding the space of globalisation and also quicken its pace. It has been treating globalisation as if it were "an irresistible force of nature, as much outside its influence as the weather". Since New Labour or its Third Way did not offer anything really new, it could not make any impact on the trends set in motion in the arena of public administration during the preceding conservative regimes. Only peripheral changes have taken place. For example, the Citizens' Charter was relaunched in 1998 under a new name: 'Service First'. The six principles of John Major's government were enlarged to nine and given a new reorientation. But the changes amounted to nothing beyond 'papering over the cracks'. Though its proponents continue to describe it "as the most far-reaching programme ever devised to improve quality in public service", the 'Service First' has, in essence, remained a product of consumerist ethics which tends to reduce the citizen to a level of consumer alone. The public is seen buying services, through payment of taxes and other charges rather acquiring rights through community membership.

Soon after assumption of office, the 'New Labour' government published a White Paper which unfolded a pattern of new reforms under the title: 'Modernising Government'. It set out seven challenges[10] for the civil service and promised 'joined up

[9]Politics U.K., Robert Pyper: Chapter 21 – Civil Service Management and Policy 469.

[10]A Modernising Public Service Group was created within the Cabinet office to draw up the Action Plan. The Board prioritised its objectives as responsiveness, effectiveness, efficiency, joined-up government and quality.
These seven challenges, as spelt out by the Cabinet Officer, were: (1) Implement constitutional reform in a way that preserves a unified civil service, ensures close

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government'; 'joined up policy making'; 'joined up public service'. It proposed "opening up 3000 top jobs to women, ethnic minorities and people with disabilities." But none of these proposals or promises has substantially changed the position from the one operating during the Conservative regime.

It is becoming increasingly clear that, notwithstanding all the songs that were sung in favour of introduction of 'new managerialism' in the functioning of public services, under the influence of what is called Thatcherism, and also the subsequent articulation and application of *The Third Way* by Tony Blair's New Labour government, and its own new package of reforms, the conditions at the ground level have not improved for the deprived and under-privileged. A survey carried out by the Guardian in early 2001, pointed out:

> One World Health Organisation study found that up to 25,000 Britons who die of cancer each year would survive if British care were up to the best standards in the European Union. Or take education. If we were to construct a league table of EU countries, ranked according to how many over-16s are still in school, guess who comes bottom? We do, with Germany and France 20 percentage points ahead of us. A 1999 survey found that one in five British adults cannot add up the change in their pocket. On health care, we spent little more than a third per citizen of the amount paid out in the US and just over half the sum spent in France.

The survey underlined:

> It is a matter of grim consensus that too many of our core collective needs are not met properly. We see the evidence

10 contd. working between UK government and the developed administration; (2) Staff in all departments to integrate the EU dimension into policy making; (3) Public services to be improved, more innovative and responsive to users, and delivered in an efficient and joined-up way; (4) Create a more innovative and less risk averse culture in the civil service; (5) Improve collaborative working across organizational boundaries; (6) Manage the civil service so as to equip it to meet these challenges; and (7) Think ahead strategically to future priorities.

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> before our eyes every day: doctors' waiting rooms jam-packed with people, hospital corridors overflowing with patients on trolleys, schools turned riotous by too-large classes and too-few staff. Elsewhere in the public realm, even where funded privately, it is the same picture; rural bus routes closed, trains which arrive late or not at all.

A research group – 'Breadline Europe' – which studied the incidence of poverty in Britain and across Europe has drawn similar conclusions:

> UK has become the special case of Europe. Some observers believe that under successive governments the country has been going so far down the road of diminishing welfare that it has become detached from most of the other European states. The study said: it astonished us... we were expecting to find a small group of people, but definitely nothing like the number we found... More than five million Britons are living at a level of extreme poverty previously thought to exist only in the developing world.[11]

There also appears to be some force in such observations as these:

> Blair and New Labourites have changed nothing. Their variant of Thatcher's gospel has merely extended its appalling consequences, increased the rich-poor divide, lowered the public sector share in the Gross Domestic Product, let the medical care slide towards the bottom of the European league.[12]

But, of late, there has been a slow but steady shift. Tony Blair has been emphasising : "We are a left of the centre party, pursuing economic prosperity and social justice as partners and not as opposites." His government has also been claiming that it is spending substantial sums in improving public services. Its 'fact-

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[11]Indian Express: March 9, 2001 based upon Reuters Report, London, March 8. In this study, poverty was taken as defined by the UN (1995), that is lack of food, safe drinking water, sanitation facilities, health, shelter, education and information.

[12]Tom Bairn: Mario and the Magician: New Left Review: May-June 2001.

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sheet', published on March 20, 2003 makes impressive reading. It says : "The public sector workers constitute 18 per cent of the U.K. work-force, and there are today 140,000 workers more than they were in 1997. There are more and better paid teachers to teach in schools, more and better paid nurses and doctors to serve in hospitals, more and better paid policemen to police the areas."

In the United Kingdom, New Public Management has come to stay, both as an ideology and as a practice. The New Labour has lapped it up as much as the Conservatives of the Thatcher era and most of its attributes have been institutionalised. The British public, too, has seen the benefits of the New Public Management movement. There is now a broad national consensus to "create a more open, diverse and professional civil service" which has a clear sense of direction and is economical and performance oriented. A special effort is being presently made by Tony Blair's government to strike a better balance between the requirements of competitive economy and those of social solidarity. There is now a clear tilt in favour of welfare, though the core of neo-liberalism remains intact. The public image of the civil services has also improved and their work culture has undergone significant change for the better.

UNITED STATES

In the case of rapidly changing conditions all over the globe and within countries, the role and functions of government and its bureaucracy was subjected to fresh thinking in the United States, even prior to UK. A good deal of theoretical literature on the subject was produced. The publication of books, such as *Reinventing Governments*,[13] provided focus to the issues involved and attracted considerable public attention.

Reagan Period

By the early eighties, a strong feeling had grown that the government was becoming too big, getting out of gear and performing much

[13]This book has been authored by David Osborne and Ted Gaebler.

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below the expectations of the citizens. In his inaugural address on January 21, 1981, President Ronald Reagan, gave expression to this feeling by saying:

> In the present crisis, government is not the solution to our problems; government is the problem. It is my intention to curb the size and influence of the federal establishment. In the days ahead, I will propose removing road blocks that have slowed our economy and reduced productivity.

Subsequent events, however, showed that it was easier to make such declarations than to change the structure of governance in practice. While some reduction in the size of federal bureaucracy was brought about by implementing a few recommendations of the Grace Commission which the President had appointed in 1982, not much happened to make the government lean and efficient. On the other hand, social security suffered and homeless people were seen in the streets of American cities for the first time.

Clinton Period

President Bill Clinton gave considerable importance to the issue of reform of the governance machinery. Both he and his deputy, Al Gore, were committed reformists. Soon after assuming the offices of President and Vice-President, in 1993, they issued a joint statement, titled: *Putting People First*. In this statement, they said:

> It is time to radically change the way the government operates – to shift from top-down bureaucracy to entrepreneurial government that empowers citizens and commits to change our country from the bottom up. We must reward the people and ideas that work and get rid of those that don't.

On March 3, 1993, President Clinton appointed a special team – The National Performance Review Team – under the chairmanship of Al Gore. While announcing appointment of this Team, he said:

> Americans voted for a change last November. They want better schools and health care and better roads and more

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jobs, but they want us to do it all with a government that works better on less money and that is more responsive.

President Clinton made it clear:

> This performance review is not about politics. Programmes passed by both Democratic Presidents and Republican Presidents, voted on by members of Congress of both parties, and supported by American people at the time, are being undermined by an inefficient and outdated bureaucracy, and by our huge debt. For too long, the basic functioning of the government has gone unexamined. We want to improve the way government does business a permanent part of how government works, regardless of which party is in power.

Al Gore's Team in its report titled : 'From Red Tape to Results', *creating a Government that works better and cost less, pointed out:*

> Washington's failures are large and obvious. For a decade, the deficit has run out of control. The national debt now exceeds $4 trillion – $16,600 for every man, woman and child in America. But the deficit is only the tip of the iceberg. Below the surface, lies enormous unseen waste.

The Report contained scores of specific recommendations which, according to its claim, could reduce the Federal work-force by 252,000 and result in savings of about $108 billion over a period of five years. New goals and new principles of governance were clearly defined. The Report said:

> We will invent a 'government that puts people first', by cutting unnecessary spending, serving its customers, empowering its employees, helping communities solve their own problems and fostering excellence; and we would do so by reacting a clear sense of mission, steering more and rowing less, delegating authority and responsibility, replacing regulations with incentives, developing budgets based upon outcomes, exposing federal operations to competition, searching for

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market, not administrative, solutions and measuring success by customer satisfaction.

The process of implementation of the recommendation contained in Al Gore's Report is still on, and it is too early to assess the results, particularly because new factors have cropped up after the events of September 11, 2001. The general view amongst the researchers and scholars is that the reform measures taken during the Presidency of Reagan and Clinton have made only marginal difference. During the time of President Clinton, the delivery system became more efficient and the weaker sections of society received greater attention. In any case, United States remains fully committed to reforms and acts as a champion of New Public Management movement in the world through its influence on the World Bank and International Monetary Fund.

Comparison : U.K. and United States

In redefining the role of the State and shaping its governance machinery, President Reagan and Prime Minister Margaret Thatcher were on the same wavelength. Both wanted drastic down-sizing but were rather simplistic in their approach. Though different from these two, President Bill Clinton and Prime Minister Tony Blair shared similar views. The former brought about a subtle shift from Democrats to New Democrats and the latter from Labour to New Labour. Both believed in curtailing the functions of the public sector and make it dynamic and entrepreneurial but they also wanted to spend more public funds on health care, education, environment, crime control and general welfare of the aged and weaker sections.

NEW ZEALAND

The New Zealand model, which is usually presented as the most sophisticated and successful model and which is marked by a comprehensive, coherent, coordinated and determined approach is, in essence, no different from that of United Kingdom's. Here, too, the thinking was influenced by the Chicago School of

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Economists. In the 1950-70 period, New Zealand was reckoned as one of the wealthiest countries of the world and also an ideal Welfare State, wherein agriculture was subsidised, industries were protected and social security was extended to the weaker sections. Thereafter, on account of a variety of reasons, economy began to falter and the welfare state began to be viewed from the mid-eighties as inefficient, ineffective, uneconomic, unresponsive and unaccountable. The maladies were sought to be treated by applying new concepts – 'deregulation', 'privatisation', 'marketisation', 'outsourcing', 'automisation', 'agencification' etc.

As a policy, it was accepted that the activities which could be handled by the private sector should not be kept in the public sector, that the activities which remained with the public sector should be performed on commercial lines, that the functions of policy-making should be separated from those of the service-providers, and that the role of the Minister should be restricted to formulation of goals and monitoring, leaving the Chief Manager free to manage the service agency. The elements of autonomy and accountability were clearly spelt out, and the main reform measures were backed by laws, such as State Owned Act, 1986 and Public Finance Act, 1989.

In accordance with the above policy and laws, a large number of trading organisations of the government were corporatised and privatised. The other reform measures were also implemented speedily. The results of all this, according to the proponents of the reforms, were spectacular, particularly with regard to the measures under which the head of the public service organisation enjoyed vast discretion and effective managerial autonomy to run the organisation without losing sight of the over all framework of accountability and obligation to produce specific results.

These reforms were considered so successful that the New Zealand's model was presented as a specimen for other to follow. By quite a few evaluators,[14] *it was rated as "the world's most advanced performance*

[14]One such evaluator, is D. Katte, a noted scholar of the subject. See his study *Performance Management: The Solution of Choice* (2000).

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system" and as the best alternative to the old system dominated by procedure based bureaucracy. It had a magnificent conceptual architecture and its framework of fiscal management was an excellent example of 'creative innovation'. It also pioneered the fiscal sustainability movement. But the system was not without its infirmities. Its critics have underlined:

> Personal experience of a service, frontline input, customer meetings and a range of information monitoring activities can be seen as being as reliable, valid and manageable as formal monitoring. More quantification will not necessarily produce results, and it is necessary to know when to use the science of measurement and when to use the art of management.[15]

The art of management was sometimes missing, as was seen in the highly controversial case of Ms. Christine Rankin of which brief particulars have been indicated in the section dealing with Australia.

AUSTRALIA

The course which New Public Management movement took in Australia was similar to that of New Zealand except that the issue of 'agencification' of public service was not considered till 1996 when the Commonwealth Service Delivery Agency, or Centrelink as it was later named, was set up. This was done on the basic principle that the policy-making functions needed to be separared from the service-delivery functions.

The Centrelink has now become a powerful executive agency, providing a range of services to the public, enjoying internal autonomy and maintaining 'arms-length' relationship with government. The 'division of responsibilities' and the 'division of accountabilities', which the arrangement involves, have worked fairly well in Australia as compared to the U.K. and New Zealand,

[15]Waldersee: 'The Art of Service versus Science of Measurement': Australian Journal of Public Administration (1999).

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where conflicts and controversies have sometimes arisen between the head of the agency – the chief manager – and the head of policy-making unit – the minister. In U.K., for example, a bitter controversy arose with regard to the functioning of the Prison Service Agency. The issue was whether inefficient working of the Agency was due to defective policy of the minister or poor management of the chief manager. A similar issue cropped up in New Zealand in what is known as the Rankin case. In this case, the point of controversy related to the political pressures of the ministers, who had undermined the autonomy of the Agency of Work and Income by manipulating denial of extension of contract to its head, namely, Ms. Christine Rankin. *In Australia, no such conflict or controversy has occurred. The head of the policy-making department and the head of the executive agency have shown mutual understanding and evolved an informal relationship which harmonises autonomy of the chief manager with the minister's responsibility to Parliament. The culture of the fault-finding virtually does not exist.*

CANADA

Another Civil Service which was subjected to a new initiative and which has seen a number of changes in recent times is the Canadian Civil Service. Its experience is also of some relevance to India.

One of the important items of the agenda of Brian Mulroney's Progressive Conservative Party Government, which came into power in 1984, was to provide an efficient and effective system of governance. It committed itself to give "more work with fewer people and less cost". In pursuance of this commitment, it took a series of measures, more or less on the Thatcherite model, to privatise a number of services, withdraw from public corporation by way of disinvestments and cut drastically the size of government bureaucracy. A substantial success was achieved. "During the period, 1984-1989, public service workforce was reduced by 75,000."

When Mulroney's party was re-elected, it announced a new programme – 'Public Service 2000'. It said: "If Canada is to survive and prosper, it will be in part because it enjoys the benefits of a

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committed, modern, flexible and professional public service. This will be one of our most important legacies to future generations."

The underlying motivation of 'Public Service 2000' was "to foster and encourage a Public Service that is professional, highly qualified, non-partisan and imbued with a mission of service to the people." It also spelt out seven basic values which the civil servants should imbibe. These were: (i) service to Canada and to Canadians; (ii) loyalty to the duly elected Government; (iii) honesty, integrity and non-partnership; (iv) prudence in the use of tax-payer's money; (v) faithfulness to the principle of fairness and impartiality; (vi) professionalism in carrying out duties; and (vii) respect for Ministers, Members of Parliament and public.

The results of the Reforms – Public Service 2000 – though positive in many ways, have not turned out to be as spectacular as their initiators claimed. In the beginning, they caught the imagination of the public and were warmly applauded, but with the passage of time they lost their sheen and skepticism about their worth, in terms of the ground level impact, grew. In its comments, the Ottawa Sun[16] noted: "Public Service 2000 is an expensive boondoggle and will do nothing to make it easier for the public to deal with the bureaucracy." *Nevertheless, the Reforms have given a new structure, style and culture to the civil services and helped in reinvigorating those values of governance which the Canadians have cherished all along.*

Aims

It would be seen from the above narration and analysis that the New Public Management has emerged, over the years, as a significant movement which aims at attaining the following broad objectives:

(i) Keeping the citizens at the centre of attention and providing high-class service to them.

[16]February 21, 1992.

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(ii) Rolling back the State, privatising as many services as possible, downsizing civil services and contracting out specific items of work.

(iii) Giving maximum autonomy to the chief-manager of the organisation entrusted with the task of providing services.

(iv) Reducing the functions of the central agencies and restricting them to policy-making and periodic monitoring.

(v) Prescribing measurable standards of performance for both the individual and the organisation, adopting the principle that 'what gets measured gets managed'.

(vi) Making continuous efforts to upgrade the knowledge and skills of the employees and to increase the resources of the organisation – human, financial and technological.

(vii) Seeking partnership with private organisations with a view to pooling of resources to finance and execute projects for the overall benefits of the community and the country.

(viii) Adopting citizens' charter, binding public service organisations to make available services of prescribed standards within a specific time-frame.

(ix) Achieving an overall coherence with the political, social and economic ideals of neo-liberalism.

Outcome

What has been the outcome of these aims? Generally, while the outcome has been positive in terms of efficiency, economy, consumer-satisfaction and managerial accountability, their negative fallouts in terms of rise in unemployment, economic inequalities and relegation of long-term objectives, have been noticeable. Undoubtedly, the State has contracted, budget deficits reduced, inflation controlled and GDP increased – much to the satisfaction of the pure economists and efficiency-experts – the public sentiment in favour of welfare state still remains strong. Overall, one could broadly agree with the observation: "The increase in GDP provides only a crude measure of economic welfare; we also need to take account of associated changes in income security, quality of life,

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the natural environment, and inter-personal and inter-generational distribution. When this is done, the story is less rosy."

SCANDINAVIAN MODEL

And there is another model–the Scandinavian model of Sweden is a good example. In a recent article, published in The Guardian[17], George Monhiot, a well-known commentator, has recounted the merits of this model. The following extracts from the article speak for themselves:

> Let's compare the United Kingdom–a pioneer of neoliberalism–and Sweden, one of the last outposts of distributionism. ...The first surprise, for anyone who has swallowed the stories about the U.K.'s unrivalled economic dynamism, is that, in terms of gross domestic products, Sweden has done as well as Britain... In 2002 its GDP per capita was $27,310, and the U.K.'s was $26,240... More surprisingly still, Sweden has a current account surplus of $10 billion and the U.K. a deficit of $26 billion. *Even by the neoliberals' favourite measures, Sweden wins: it has a lower inflation rate than Britain, higher "global competitiveness" and a higher ranking for "business creativity and research." ... In terms of human welfare, there is no competition. Sweden ranks third in the world, the U.K. 11th. Sweden has the world's third highest life expectancy, the U.K. the 29th... In Sweden 6.3 per cent of the population lives below the absolute poverty line. In the U.K. the figure is 15.7 per cent. Seven and a half per cent of Swedish adults are functionally illiterate–just over one-third of the U.K.'s figure of 21.8 per cent...* The reason for these differences is straightforward. During most of the 20th century, Sweden has pursued policies designed to narrow the inequality of conditions between social classes... These include what The Economist calls "punitive taxes" and "grandiose programmes of public spending," which do "nothing but harm." These

[17]This article has been reproduced in *The Hindu* of January 13, 2005.

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policies in fact appear to have enhanced the country's economic competitiveness, while ensuring that the poor obtain a higher proportion of total national income. In Sweden, according to the U.N., the richest 10 per cent earn 6.2 times as much money as the poorest 10 per cent. In the U.K. the ratio is 13.8... So far countries hoping to reach the promised land, there is a choice. (Italics mine)

Future

The need for change in the machinery of governance is paramount, but the right kind of balance has yet to be struck between the requirements of efficiency and social justice. The old models cannot deliver and the new models cannot provide equity and relieve the societies of problems of deprivation and unemployment. The challenges are inherently complex and would have to be faced squarely by all the nations in the coming years of the twenty-first century. While those who are innovative, skillful, highly motivated and show quick and deeper understanding of the new forces emerging within their societies and at the global level would provide peace, safety, security and satisfaction to their people, others may only end up in creating condition in which economic and social Darwinism may become more dominant and life for the weaker sections may turn out to be "nasty, short and brutish". So far as India is concerned, she must imbibe the need and spirit for a fundamental change and draw, as indicated in the next chapter, appropriate lessons from the recent experiernce of other countries. But it must not be imitative as it seems to be at present. Her approach must be creative and assimilative. She has to chart and construct her own path and design and build her own vehicle to travel to her own distinct destination.

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CHAPTER XI

REKINDLING THE POWER OF THE INDIAN MIND

National Reconstruction is not only a political or economic affair. Its mainspring is religious and spiritual reconstruction. This requires courage and the spirit of spiritual adventure which India witnessed in the age of Upanishads and in that of Buddha and Mahavira.

JAYAPRAKASH NARAYAN[1]

For three thousand years at least – it is indeed much longer – she has been creating abundantly and incessantly, lavishly, with an inexhaustible many-sidedness, republics and kingdoms and empires, philosophies and cosmogonies and sciences and creeds and arts and poems and all kinds of monuments, palaces and temples and public works, communities and societies and religious orders, laws and codes and rituals, physical sciences, psychic sciences, systems of Yoga, systems of politics and administration, arts spiritual, arts worldly, trades, industries, fine crafts – the list is endless and in each item there is almost a plethora of activity.

SRI AUROBINDO

Tragic Failure

One of the tragic failures of the post-1947 India has been its inability to rekindle the power and profundity of the Indian mind and use it as a propelling force for fashioning out a new design of life, a new set of polity and a new form of governance. She has remained without any great inspiration, without an elevating ideology or philosophy which should have served as a guiding star for her activities in various walks of life. For a short while, her leadership,

[1]Quoted from Bimal Prasad: Jayaprakash Narayan: Quest and Legacy: p. 77.

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at the dawn of independence, spoke of the opportunity which the 'long suppressed soul of India' got to express itself; but, later on, forgot all about it. India's mind leaned heavily towards imitation. She started following first the prescription given by the 'welfare economists' of the West and then the one written for her by the World Bank and the International Monetary Fund.

Consequently, India today is a pale shadow of what it could have been. Instead of reconstructing the power of her mind, recreating her own life-nurturing functions, delving deep into her ancient nobility of temper and refining her elevating ideals and concepts, evolved after years of contemplation, she began to be led by the crass materialism of others and follow the notions which were coined elsewhere in different sets of circumstances and in different social and cultural milieu. She took the wrong direction and embarked upon a journey during the course of which she has been accumulating more and more rotten eggs in her baggage without unburdening any of her previously collected junk. She has been hurtling downwards in many spheres of governance and polity, as analysed in Chapters VI, VII and VIII, and also overtaken by forces over which she has little control, as analysed in Chapter IX.

Around 1947, India stood at the crossroads of destiny, shaken by the tragedy of partition and wounded badly by the chopping of her wings. She should have learnt her lessons and thought of the great assets that the ancient power and profundity of her mind had provided. She should have invested those assets in the ventures suited to her conditions and built a new India with an original and independent approach and with an animation and values of her own. A culture of contemplation, contentment, compassion, balance and harmony, backed by creative and constructive impulse, should have constituted the core motivation of her intellectual, social and political leadership. But nothing of the sort happened. *And India now resembles an old and worn-out ship, overloaded by hordes of people with all their messy baggages. The ship itself is buffeted by turbulent winds and waters that swirl around it. In the worst of scenarios, the ship may break up, and in the best, it may move permanently towards the shores of the Third World and anchor there.*

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It is time that the nation realises the dangers to which it is exposed, *makes a fresh beginning, and draws up a blueprint for reforms, the contours of which are shaped by the re-ignited power of the Indian mind and coloured by the vigour, vitality and purity of an awakened soul.* What do these two inputs to the blueprint involve? How can such a blueprint be formulated and implemented?

Before attempting to answer these and allied questions, let me explain what I mean by the power and the profundity of the Indian mind and what is the evidence that lends support to my contention that such a mind was once possessed by India over a long period of her history.

I would present the relevant evidence in three parts. In the first part, I would cite the views of eminent scholars[2] and historians who had spent years in studying Indian history, religion and philosophy. In the second part, some of the illuminating products of the Indian mind – the great ideals and concepts evolved by it – would be discussed to show their inherent strength and abiding value. The third part would cover a few concrete manifestations of this powerful mind.

PART I
VIEWS OF EMINENT SCHOLARS

The great German scholar, Friedrich Max Mueller, in his lecture, delivered in 1882 at the University of Cambridge, on *India - What can it teach us*, said:

> If we were to look over the whole world to find out the country most richly endowed with all the wealth, power, and beauty that nature can bestow – in some parts a very paradise on earth – I should point to India. If I were asked under what sky the human mind has most fully developed some of its choicest gifts; has most deeply pondered on the greatest problems of life and has found solution of some of them which well deserve the attention even of those who

[2] To obviate charge of chauvinism or bias, I have chosen here the views of German, American and French scholars, and not those of the Indian scholars.

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have studied Plato and Kant – I should point to India. And if I were to ask myself from what literature we, here in Europe, we who have been nurtured almost exclusively on the thoughts of Greeks and Romans, and of one Semitic race, the Jewish, may draw that corrective which is most wanted in order to make our inner life more perfect, more comprehensive, more universal, in fact more truly human, a life, not for this life only, but a transfigured and eternal life – again I should point to India...

You know how some of the best talent and the noblest genius of our age has been devoted to the study of the development of the outward or material world, the growth of the earth, the first appearance of living cells, their combination and differentiation, leading up to the beginning of organic life, and its steady progress from the lowest to the highest stages. Is there not an inward and intellectual world also which has to be studied in its historical development, from the first appearance of predicative and demonstrative roots, their combination and differentiation, leading up to the beginning of rational thought in its steady progress from the lowest to the highest stages? And in that study of the history of the human mind, in that study of ourselves, of our true selves, India occupies a place second to no other country. Whatever sphere of the human mind you may select for your special study, whether it be language, or religion, or mythology, or philosophy, whether it be laws or customs, primitive art or primitive science, everywhere, you have to go to India, whether you like it or not, because some of the most valuable and most instructive materials in the history of man are treasured up in India, and in India only.

Could these 'treasures', these 'choicest gifts', be produced by a mind other than a powerful and profound one? The conclusions drawn by the celebrated American historian, Will Durant, are equally revealing:

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> India was the Mother of our philosophy; Mother of much of our Mathematics; Mother, through the Buddha, of the ideals embodied in Christianity; Mother, through the village community, of self-government and democracy. Mother India is in many ways the Mother of us all.

This is what the famous French philosopher and historian, Voltaire has to say:

> I am convinced that everything has come down to us from the banks of the Ganges, astronomy, astrology, metempsychosis, etc. It does not behove us, who were only savages and barbarians when these Indian and Chinese peoples were civilised and learned, to dispute their antiquity.

In the same strain, Paul Deussen has observed: "India as a country is just as great as the whole of philosophising Europe taken together".

Upon the freshness and originality of thought contained in the Rig Veda, the great philosopher, Arthur Schopenhauer, has reflected thus:

> And from every page deep, original, noble thoughts issue forth to us, while a high and holy seriousness hovers over the whole. Everything here breathes Indian air and original, nature-connected existence... It is the most rewarding and edifying reading possible in the world... It has been the solace of my life and will be a solace of my death.

In the same strain, the great French historian Michelet, has observed:

> From India comes to us a torrent of light, a River of Right and Reason.

About the Sanskrit language and Indian heritage, this is what German philosopher, Friedrich von Schlegel, has to say:

> There is no language in the world, even Greek, which has the clarity and philosophical precision of Sanskrit. India is

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> not only the origin of everything, she is superior in everything, intellectually, religiously or politically – and even the Greek heritage pale in comparison.

These and similar other views of eminent historians and philosophers should leave little doubt about the validity of my proposition. May be, there are opinions expressed to the contrary, such as the one expressed by Lord Macaulay who thought that "the Indian literature was of a small intrinsic value, one that inculcated the most serious errors on the most important subject – hardly reconcilable with reason, with morality." But the opinions of this nature were largely due to an inadequate study or formed part of an imperial design. A section of British rulers and Christian missionaries developed a disposition to denigrate India and project the superiority of Western culture with a view to creating a dependency syndrome and causing Indians to willingly accept both British rule and Christianity. Here, for example, is Richard Temple, an officer turned missionary speaking to a Missionary Society in New York at the end of the nineteenth century:

> India is like a mighty bastion which is being battered by heavy artillery. We have given blow after blow, thud after thud, and the effect at first is not very remarkable, but at last, with a crash the mighty structure would come toppling down, and it is our hope that some day the heathen religion of India will in like manner succumb.

There was yet another set of rulers and scholars who were keen to show that all that was glorious in Indian religion, philosophy and way of life came from the Indo-Aryans who started migrating to India around the second century B.C. from Central Europe and Central Asia and vanquished the local Dravidians and created an 'Aryan' culture. Even the celebrated Max Mueller, who believed that all the choicest gifts, all the 'great treasures', of human thought came from India, was driven by his in-built bias to show that the origin of this greatness lay in Central Europe. He made a virtual confession about it – unwittingly, perhaps. In a letter written to

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his wife, he said:

> This edition of mine and the translation of the Veda, will hereafter tell to a great extent on the fate of India and on the growth of millions of souls in that country. It is the root of their religion and to show them what the root is, I feel sure, is the only way of uprooting all that has sprung from it during the last three thousands years.

The myth of Aryan invasion, as would be explained briefly later on in this Chapter, now stands exposed. Anyone who has the patience and objectivity to look in depth at the treasures of the ancient Indian thought cannot but be dazzled by its originality, its freshness, its spontaneity and its nobility and also by the power and profundity of the mind that produced it.

PART II
ILLUMINATING PRODUCTS

The strongest evidence in support of my proposition is, however, provided by the products of the Indian mind in the heyday of its glory. Of these products, I would take up here only four as illustrations – (i) the idea of the Universe being an organic cosmic web permeated with cosmic force; (ii) views on Creation; (iii) understanding of ecological balance and sustainable development; and (iv) the Message of Gita and concept of Karma Yogi.

(i) Cosmic Web, its Organic Entity and Cosmic Force

One of the finest pieces of evidence which shows how powerful and insightful was once the Indian mind was its clear and correct understanding of the pattern of human existence on this planet and beyond. It perceived the 'non-dual reality' that lies behind the smoke-screen of 'surface duality' and realised that the universe was an organic web in which every item of life and nature was inextricably enmeshed with every other item. It also understood that this web was permeated with a cosmic force of which man and nature are the constituents as well as the contributors.

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Commenting upon this insight, the French scholar, Amaury de Riencourt, has said: "The wealth of the psychological insight revealed in Upanishads are based on the most profound study and understanding of human nature ever achieved, one with which we twentieth-century Westerners, in spite of our vast present-day knowledge, have not yet fully caught up. No other Culture but the Indians has ever probed the depths of the human soul so thoroughly."

This profound perception, this great realisation and this subtle understanding of the Indian mind so impressed the renowned American poet and philosopher, Ralph Waldo Emerson, that he wrote a beautiful poem, titled: *Brahma*, in which he gave expression to the Vedantic concept of non-duality thus:

If the red slayer thinks he slays,
Or if the slain think he is slain,
They know not well the subtle ways
I keep, and pass, and turn again.

Far or forgot to me is near;
Shadow and sunlight are the same;
The vanish'd gods to me appear,
And one to me are shame and fame.

They reckon ill who leave me out;
When me they fly, I am the wings;
I am the doubter and the doubt,
And I the hymn that Brahma sings.

This indivisible, this interpenetrative relationship amongst all elements of existence; this phenomenon of 'One in All and All in One'; this omnipresence of the invisible cosmic force in the entire network of the web; have all been found to be valid by the epoch-making formulations which, in the twentieth century, have emerged out of the theories of Relativity and Quantum Physics. These formulations have made it clear that matter is nothing but a mass of energy; that the ultimate particle or sub-atomic particle is not a

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thing, but a mere inter-connection, something that exists but can be seen only through a mind's eye; and that the Universe is a web, a complex web, in which mind and matter, life and nature, are woven as an organic entity by way of hosts of inter-connections. *Clearly, what the Indian mind discovered, centuries earlier, by virtue of its perceptive power and its higher level of consciousness, was discovered by modern science only recently.*

If one draws a table and puts the classical Vedantic thoughts on one side and the findings of modern science on the other, one would be amazed by the similarity between the two. What our ancient saints and sages realised through their intuitive powers, the modern scientists found after hundreds of years of scientific research.

The profundity of the concepts of the universe being an organic web, as evolved by the Indian mind, in the heyday of its power, can best be brought home if we look in depth on the world around and note its paradoxes and perplexities which I have delineated in Chapter IX. These paradoxes and perplexities have arisen on account of the total disinclination of the Western man to attend to the 'Great Truth' about the organic nature of life, which the power and profundity of Indian mind had laid bare hundreds of years ago, and which was subsequently confirmed by the theories of Relativity and Quantum Physics. The modern Western 'man' has consciously or sub-consciously remained under the influence of such philosophies as materialism and existentialism and entertained such views as propounded by historian Westfall: "The world is a machine, composed of inert bodies, moved by physical necessity, indifferent to the existence of thinking beings." He has, in practice, refused to take a holistic view of reality and help in developing a system in which requirements of body, mind, intellect and soul are integrated in a balanced and harmonious pattern and in which human societies function, not as separate, but as complementary and mutually reinforcing units of the same universe. He has not understood that if one or two aspects of human personality or one or two arenas of human society alone are catered to, or are not

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accompanied by a proportionate advance in complementary spheres, then negative results will accrue.

It is because of the above disinclination and lack of understanding that the Western man and his institutions have created a world which is scientifically and technologically advanced but morally and socially retarded. All the complexities and contradictions which I have analysed in Chapter IX are due to this peculiar 'mix' of advancement in one arena and retardation in the other.

The Indian concept of oneness of life is so solid and sound in its fundamentals that it alone holds key to future peace, balance and harmony in the world. If Self is reflected in all beings, if the other person is perceived as a part of yourself, if nature and its resources and raw material are taken as constituents of your own organic entity, then an attitude would develop amongst individuals, which is not narrow, selfish, brutish and exploitative. And such an attitude would provide the foundation for building a lasting peace in the world. It was this conceptual framework of Indian thought that led Arnold Toynbee to observe:

> At this supremely dangerous moment in human history, the only way of salvation for mankind is an Indian way. Here we have the attitude and the spirit that can make it possible for the human race to grow together into a single family—and, in the Atomic Age, this is the only alternative to destroying ourselves. In the Atomic Age the whole human race has a utilitarian motive for following this Indian way. No utilitarian motive could be stronger or more respectable in itself. The survival of the human race is at stake. Yet even the strongest and most respectable utilitarian motive is only a secondary reason for taking Sri Ramakrishna's and Gandhi's and Ashoka's teaching to heart and acting on it. The primary reason is that this teaching is right – and is right because it flows from a true vision of spiritual reality.

Arnold Toynbee on Indian Thought

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(ii) Reflections on Creation

How scientific and yet so spiritual, how intellectual and yet so intuitive, was the Indian mind could be seen, as an example, from the following Hymn of Creation[3] in the Rigveda:

Then was not non-existent nor existent:
There was no realm of air, no sky beyond it:
What covered it, and where? And what gave shelter?
Was Water there, unfathomed depth of water?

Death was not then, nor was there aught immortal:
No sign was there, the day's and night's divider.
That One thing, breathless, breathed by its own nature:
Apart from it was nothing whatsoever.

Darkness there was: at first concealed in darkness
This All was indiscriminate chaos.
All that existed then was void and formless:
By the great power of Warmth was born that unit.

Thereafter rose Desire in the beginning
Desire the primal seed and germ of Spirit.
Sages who searched with their heart's thought discovered
The existent's kinship with the non-existent.

Transversely was their severing line extended:
What was above it then, and what below it?
There were begetters, there were mighty forces,
Free action here and energy up yonder.

Who verily knows and who can here declare it,
Whence it was born and whence comes this creation?
The gods are later than the world's production,
Who knows then whence it first came into being?

[3]This is one of the over one hundred thousand verses which the four Vedas – The Rig, the Sama, the Yajur and the Atharva – contain. The translation of the quoted hymn here is by Griffin.

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He, the first origin of this creation,
Whether he formed it all or did not form it,
Whose eye controls this world in highest heaven,
He verily knows it, or perhaps he knows not.

(iii) Understanding of Ecological Balance and Sustainable Development

The Indian mind was the earliest to grasp the significance of maintaining the ecological balance. From times immemorial, our sages and saints have been propagating that "the Earth is our Mother and we are its children." One of the earliest Vedic hymns, composed over 4,000 years ago, gave the message of what is now termed as sustainable development:

Whatever I dig of you, O Earth,
May you of that have quick replenishment!
O Purifying One, may my thrust never
Reach right unto your vital points, your heart!

The carrying and recouping capacities of the Earth were reverentially recognised and given a strong spiritual underpinning.

The Mahabharata, the Ramayana, the Vedas, the Upanishads, the Gita, the Puranas and the Smritis contain the earliest messages for the preservation of environment and maintenance of ecological balance. For centuries, while praying to the Goddess Durga, Indians have been saying: "So long as the Earth has mountains, forests, trees, etc., human race will survive." Nature or Earth has never been considered a hostile element to be conquered or dominated. On the contrary, it has to be respected like the mother: "The Earth is our Mother, we are its children." In fact, man is forbidden from exploiting Nature. He is taught to live in harmony with it and recognise that divinity prevails in all elements, including plants and animals. The Mahabharata suggests that the basic elements of Nature constitute the Cosmic Being – the mountains His bones, the earth His flesh, the sea His blood, the sky His abdomen, the air His breath and *agni* His energy. The whole emphasis of the

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ancient Indian scriptures is that human beings cannot separate themselves from natural surroundings and Earth has the same relationship with man as the mother with her child.

Plantation and preservation of trees are made sacred in religious functions. For instance, the *Varaha Purana* says: "One who plants one peepal, one neem, one bar, ten flowering plants or creepers, two pomegranates, two oranges and five mangoes, does not go to hell." In *Charaka Samhita*, destruction of forests is taken as destruction of the State, and reforestation an act of rebuilding the State and advancing its welfare.

(iv) Message of Gita: Concept of Karma Yogi

The Gita which has been described by the great English poet, T.S. Eliot, as one of the finest philosophical poems ever written[4] contains a positive and ennobling message of leading a life with a sense of purpose and continual service: Man's soul is immortal and it is a joy to die in doing one's duty.

As regards the concept of Karma yogi, *I do not think a more lofty, a more elevating, a more solid and sound concept of work than this has been evolved in any other system of thought anywhere in the world.* This was another great product of the powerful mind of India. Resting as it does on the detachment, dedication and complete selflessness, it cannot but ennoble the holder of power. A work undertaken by a state functionary necessarily involves exercise of power. If this exercise is actuated neither by weakness for reward nor by any other subjective consideration, it cannot lead the functionary astray, and no corruption, malpractice or injustice would ensue. The work gets performed honestly, objectively and effectively. In the circumstances, the individual, the society and the state advance, materially as well as spiritually.

[4]The Bhagavad Gita is recognised, almost universally, as one of the most famous and moving poems, whose soaring beauty makes it one of the monuments of world literature. Wilhelm von Humboldt, the German scholar, has remarked: "The most beautiful, perhaps the only true philosophical song existing in any known tongue."

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Part III
CONCRETE MANIFESTATIONS

(i) *Greatest Ancient Civilisation Ever*

The Saraswati-Indus valley civilisation is the finest example of the great deeds that emerged out of the powerful mind of India. Excavations done since the early twenties of the last century show that as early as 5000 BC, a high-level indigenous civilisation prospered in India. It had well-laid out settlements, such as Mohenjodaro on the River Indus, Harappa on the River Ravi, Dholavira and Lothal in Gujarat, Kalibangan in Rajasthan and Banawali in Haryana. The excavations in and around these settlements and identification of about 1500 sites of this genre, from Adi-Badri in Haryana to Dholavira in Gujarat, not only debunk the theory of the Aryan migration to India from Central Europe through the north-western passes and the continuous push of the migrants to the South but also point to existence of "the greatest civilisation ever."

The cities[5] had large public baths and an organised underground drainage system. The public streets and individual plots were well-demarcated. The construction of houses was sound; the functional needs of the families were catered. The basic principles of architecture and town-planning were clearly understood and respected in practice. The general standard of health and sanitation was very high. To provide for the defence needs, solid fortification of the cities was carried out by the community. The social and economic structure reflected both the prosperity and homogeneity. In this regard, John Marshall has commented:

> There is nothing that we know of in prehistoric Egypt or Mesopotamia or anywhere else in Western Asia to compare with the well-built baths and commodious houses of the

[5]The noted French historian, Amaury de Riencourt, has observed: The colossal size of the capital cities reminds one of Imperial Rome. The sheer size of the Citadel, the impressive Great Bath, the Collegiate building, the Pillared Hall, all these great monuments indicate that Mohenjodaro was a centre of religious and administrative life on a grand scale.

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> citizens of Mohenjodaro. In those countries, much money and thought were lavished on the building of magnificent temples for the gods and on the palaces and tombs of kings, but the rest of the people seemingly had to content themselves with insignificant dwellings of mud. In the Indus Valley, the picture is reversed and the finest structures are those erected for the convenience of the citizens.

The greatness of the mind that fashioned this civilisation could be further seen from its artistic relics – seals, sculptures and engravings, depicting animals like the bumped bull, the buffalo and the bison. Commenting on their worth, John Marshall wrote:

> In no sense can these objects be regarded as products of primitive or archaic art. Small as they are, they demonstrate a thorough comprehension of both work in the round and relief, and exhibit a spontaneity and truthfulness to nature of which even Hellenic art might not have been ashamed.

About two Harappan stone statues, John Marshall's observations were still more telling:

> When I first saw them, I found it difficult to believe that they were pre-historic; they seemed so completely to upset all established ideas about early art. Modelling such as this was unknown in the ancient world up to the Hellenistic age of Greece.

The Saraswati-Indus Valley civilisation was indigenous and essentially Vedic. The theory of 'Aryan' invasion of India now stands thoroughly exposed. As Swami Vivekananda has pointed out, "There is not one word in our scripture, not one, to prove that the Aryans ever came from anywhere outside India." Is it believable that the Aryans who otherwise showed strong attachment to lands, mountains, rivers and forests would not carry with them the memories of any landmark of their previous homeland and nurse no nostalgia about their past? How is it that the invaders and migrants brought with them no item of previous use – pottery,

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utensil or tool – and also left no trace of mass killings of the natives or a large-scale destruction of fortifications or habitation which should have resulted from invasions? Moreover, is it conceivable that the people of Saraswati-Indus Valley civilisation, who created a highly advanced urban society, would be without any literature, while the invaders, admittedly unlettered, would leave behind profound literary material in abundance?

Clearly, the Saraswati-Indus Valley civilisation sprang from the soil of India and the people of India. Michel Danino, a celebrated scholar of the subject, has correctly remarked:

> There are strong links between the Veda and the Harappan culture. We find statues and seals depicting yogis and yogic postures, we find a Shiva-like deity, workshop of a mother-goddess, fire altars, all of which are suggestive of Vedic culture. The Rig-Veda itself is full of references to fortified cities and towns, to oceans, to sailing, trade and industry, all of which are found in the Harappan civilisation.

Earlier, Dr. Ambedkar had pointed out: "The theory of Aryan invasion is an invention. It is a perversion of scientific investigation, it is not allowed to evolve out of facts. It falls to the ground at every point."

A noted biological anthropologist, Kenneth Kennedy, at Cornell University, has also, after extensive scientific researches, concluded: "All pre-historic human remains recovered thus far from the Indian sub-continent are phenotypically identifiable as ancient South Asians. In short, there is no evidence of demographic disruption in the north-western sector of the sub-continent during and immediately after the decline of the Harappan culture."

Only a sound and refined mind could have produced such a mature, well-ordered and well-organised urban civilisation. All said and done, a city is an economic and social entity and an embodiment of cultural traits of its community. Seeing what we see today in the dug out remains of Dholavira or Lothal, we cannot but marvel at the advanced stage of civilisation that India had attained about 5000 years ago.

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(i) Inventions and Discoveries

India's inventions and discoveries in the realm of science, technology and mathematics provide another set of evidence which shows the power of her mind. It was this mind that first evolved the system of algebra and numeral writing and gave to the world the concepts of zero, infinity and decimal notation.

The famous American mathematician, A. Seidenberg, has significantly observed:

> Arithmetic equations from the Sulbasutras were used in the observation of the triangle by the Babylonians and the theory of contraries and of inexactitude in arithmetic methods, discovered by Hindus, inspired Pythagorean mathematics.

Earlier, the 17th century French Astronomer Jean-Claude Bailly had come to the conclusion:

> The Hindu astronomic systems were much more ancient than those of the Greeks or even the Egyptians and the movement of stars which was calculated by the Hindus 4500 years ago, does not differ from those used today by even one minute.

The Hindu mind had the insight to classify five elements of the universe – earth, water, air, fire and ether – and formulate "atomic theories which are brilliant imaginative explanations of the physical structure of the world." In the science of acoustics, too, its discoveries were of high order.

A fully evolved system of medicines and physiology, as is clear from the Compendia of Charaka (Ist-2nd centuries AD) and Susruta (4th century AD), had also been brought into being. "The caesarian section was known, bone-setting reached a high degree of skill, and plastic surgery was developed far beyond anything known elsewhere at the time. Ancient Indian surgeons were expert at the repair of noses, ears and lips, lost or injured in battle or by judicial mutilation. In this respect, Indian surgery remained ahead of the European until the 18th century, when the surgeons of the

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East India Company were not ashamed to learn the art of rhinoplasty from the Indians."[6]

What was still more important was the significance attached to the professional conduct and medical ethics. In his instructions to the physicians, Charaka tells them to advise their apprentices as follows:

> If you want success in your practice and heaven after your death, you must pray every day on rising and going to bed for the welfare of all beings and you must strive with all your soul for the health of the sick. You must not betray your patients, even at the cost of your own life...You must not get drunk, or commit evil, or have evil companions...You must be pleasant of speech...and thoughtful, always striving to improve your knowledge. When you go to the home of a patient you should direct your words, mind, intellect and senses nowhere but to your patient and his treatment ...Nothing that happens in the house of the sick man must be told outside, nor must the patient's condition be told to anyone who might do harm by that knowledge to the patient or to another.[7]

The technological innovations of the Indian mind were equally remarkable. They got reflected in the production of semi-transparent silks, the northern block polished wares, monolithic columns[8] with sculptured capitals and the iron pillar of Mehrauli which consists of a single piece of iron and has not rusted a bit even after 1600 years.

(iii) Cultural Penetration in South East Asia

The verve, vitality and dynamism of the Indian mind and the great worth of its products can also be seen from the deep impact they made on the social, political and cultural landscape of several

[6]A.L. Basham: *The Wonder That Was India.*

[7]Charaka Samhita.

[8]Some of the columns weighed as much as 50 tons.

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countries, particularly in South East Asia. "The brightest sun shinning over South East Asia in the first centuries A.D. was the Indian civilisation", says the French historian, Amaury de Riencourt. The Indian values, contained in the Hindu and Buddhist thought, reached the shores of one South-East Asian country after another, from the first to the ninth century A.D. During this period, four great waves of colonisation, organised by powerful South Indian States, hit South-East Asia.

In course of time, an Indian 'Kingdom', ruled by Indians, came into being, for about a thousand years, in Malaya, Cambodia, Vietnam, Sumatra, Java, Bali and Borneo. But this conquest was wholly cultural. It occurred not because of the power of the sword but because of the power of the philosophical ideas which the Indian traders and missionaries, both Hindus and Buddhists, carried with them. The lives of the natives were moulded by Indian literature, religion, art, architecture, language and laws. They attained a much higher stage of intellectual and moral development. They learnt the art of writing from the Indians. The Sanskrit inscriptions, written in Indian scripts, which are scattered all over, show how saturated the region got with the Indian social, political and cultural values. Even now we come across familiar Indian names like Amaravati, Champa, Gandhara, Kamboja, Kalinga, Videha, Gomti and Chandrabhaga.

The magnificent temple, Angkor Vat, which now stands listed as a World Heritage Site and whose sublime work of art has hardly any other equal, was wholly inspired by Indian ideals. It provides a striking evidence of the deep inroads which Indian culture had made in Cambodia.

Dr. R.C. Majumdar, the celebrated Indian historian, has significantly observed: "If we remember that Indian culture and civilisation played a similar role, though perhaps to a lesser degree, in western, central and eastern Asia, we can realise an aspect of the true greatness of India, not always sufficiently emphasised. The colonial and cultural expansion of India is one of the most brilliant, but forgotten, episodes of Indian history, of which any Indian may justly feel proud."

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At least from the first century A.D., a fairly strong trade relationship came into being between India and Babylonia, Syria and Egypt. The book, *Periplus of the Erythraean Sea*, written by a Greek sailor, provides ample evidence in this regard. Indian influences, particularly in the realm of mathematics and medicine, spread to the Arabs, and then to the whole world. The Indian trade with Rome was also substantial. Through Buddhism, Central Asia came into the cultural fold of India. Archaeological excavations of Sir Aurel Stein show how widely had spread the Indian influence over the area which now lies buried under the Taklamakan desert of Central Asia.

(iv) Two Other Great Thought Processes

Buddhism

The most unobtrusive and yet the most effective and lasting Indian cultural penetration into a large part of the world took place through Buddhism – another elevating and enlightened product of the powerful mind of India. It was India's intellectual and stimulating environment that alone could have produced a noble and insightful thinker like Buddha, the attractiveness of whose philosophy proved irresistible for all those who came in contact with it. Soon it spread to Central Asia, China, Korea, Japan, Burma, Tibet, Sri Lanka etc.

The inherent strength of Buddhism is evident from its wide acceptance. It has been called a religion of infinite compassion. Its great founder was Gautama, a unique combination of a cool head and a warm heart. The former saved him from sentimentality and the latter provided him with a vast reservoir of tenderness and sympathy. The distinctions of caste or class did not matter to him at all.

"One thing I teach", Gautama Buddha said, "suffering and the end of suffering." At the time Buddha appeared on the scene, the religious environment was suffocating and saturated with superstitions and rituals. His teachings brought in fresh winds of vigour and vitality, and created virtually a new religion out of

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Hinduism, pragmatic and democratic. It worked for a healthy social order but stressed the over-riding importance of individual enlightenment. "Be ye lamps unto yourselves. Be ye a refuge to yourselves. Betake yourselves to no external refuge. Hold fast to the Truth as a lamp. Hold fast as a refuge to the Truth... Work out your own salvation with diligence."

The basic teachings of Buddha are simple and revolve around four noble truths. The world is full of sorrow and the root of this sorrow lies in unfulfilled desires. To attain peace, therefore, all desires for oneself should be stilled, and the larger welfare of the mankind should be sought by 'being good and doing good'. The individual ego is a delusion which should be got rid of. "Our fretting selves are not really separate beings, but passing ripples on the stream of life, little knots forming and unravelling in the wind-blown mesh of fate." When we begin seeing ourselves as parts of the whole, then our personal disappointments vanish. If we have to be at peace with ourselves, we must learn to live not as separate units but as unified components of the entire human race. The goal should be Nirvana,[9] that is, the stage at which the soul attains total contentment and no longer worries about itself. Happiness is possible neither here, as Paganism thinks, nor hereafter, as many religions assert. To assert that "everything is" on this earth is one extreme, and to argue that "nothing exists" on it is another extreme. The truth lies in the middle. And this middle path is eight-fold and comprises Right View, Right Aspiration, Right Speech, Right Conduct, Right Livelihood, Right Effort, Right Mindfulness and Right Contemplation. Understanding, peace, wisdom and enlightenment could be reached through this path.

Whether Buddhism is considered as an off-shoot of Hinduism – a reformed Hinduism – or an independent religion or a set of

[9]The all-embracing meaning of Nirvana has been beautifully explained in these words: "Nirvana is permanent, stable, imperishable, immoveable, ageless, deathless, unborn. It is power, bliss and happiness, the secure refuge, the shelter, and the place of unassailable safety. It is the real Truth and the supreme Reality. It is the supreme goal and the one and only consummation of our life, the eternal, hidden and incomprehensible Peace."

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ethical principles, its profundity is unique and is a great tribute to the power of the Indian mind.

Jainism

Jainism is another exalted and penetrating process of thought which arose out of the exalted and penetrating mind of India of the times. It emphasises life of simplicity, purity and continued self-improvement. It believes that acquired Karma can be got rid of through meditation, asceticism, renunciation and service to the needy. When the soul becomes free, it reaches above the 'highest heaven', remains in eternal bliss and thus attains Nirvana. The course of life, according to Jains, is dictated by universal law and not by any 'god' or 'gods'. Its moral teaching revolves round such verses as these:

As the dewdrop that sways on a blade of grass
lasts but a moment,
so is the life of man.
Gautama[10], always be watchful!

For the soul which suffers for its carelessness
is whirled about in the universe,
Through good and evil karma.
Gautama, always be watchful!

When the body grows old and the hair turns white,
and all the vital powers decrease...
despondency and disease befall, and the flesh wastes and decays.
Gautama, always be watchful!

So cast away all attachments,
and be pure as a lotus, or as water in autumn.
Free from every attachment,
Gautama, always be watchful!

[10]Gautama in these verses is not Gautama, the Buddha; but a disciple of Lord Mahavira, the founder of Jainism. Quoted from A L Basham's book: *The Wonder That was India*.

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(v) Other Schools Of Thought

Little is known of the fact that years before Buddha's times, and during his life, too, the philosophic mind of India was active in many directions. A number of thinkers – sceptics, sophists, nihilists, agnostics, atheists and materialists – developed their own schools of thought. Alongwith great saints who taught the doctrine of the Great Self – Self that was 'ageless, deathless, sorrowless, hungerless, thirstless' – there were those who propagated that the soul was a passive slave and 'fools and wise alike, on the dissolution of the body, were cut off, annihilated', and 'no heaven exists, no final liberation, no other world, no immortality, no rebirth'. All this shows the depth, range and vitality of the Indian mind and its capacity for free, limitless and vigorous thinking.

Ignoring all Evidence

In support of my proposition, I have indicated in three parts some of the manifestations of the power of the Indian mind in the ancient times – manifestations in the form of great philosophies, great reflections, great insights, great concepts and their concrete products and their overall civilisational and cultural worth – which has given India the honour of being called the 'Mother of Civilisations'[11] *and also being the only one which could show the way for the salvation of mankind at this dangerous moment of human history.*[12]

Regrettably, hardly any one in the social, cultural and political leadership of post-1947 India has taken note of this phenomenon and tried to rekindle the power and nobility of the ancient Indian mind and use its potential for building a creative, conscientious and compassionate India with a style and design of its own. On the other hand, forces have once again started emerging on the scene, which had earlier caused a virtual closure of the Indian mind for about 1000 years. To this long period of decay and degeneration, I would now turn and then deal with the forces of reform and regeneration which brought

[11]This expression has been used by the great American historian, Will Durant.
[12]This hope has been expressed by no less an authority than Arnold Toynbee.

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us freedom and also enabled India to recover, to a large measure, the power and purity of her mind. Thereafter, I would come to the new factors and forces which are giving rise to new apprehensions.

1000 YEARS OF DESERTIFICATION WITH SMALL MEADOWS OF GREEN APPEARING HERE AND THERE

Unfortunately, after the Age of Imperial Guptas and the Age of Harsha, the power of the Indian mind began to wane and Indian culture and religion suffered a decline. In essential aspects, Hinduism, Buddhism, Jainism and other schools of thought lost their original inspiration and degenerated largely into pointless rituals.

Sankara's Retrieval

From this state of decay, the Indian spirits were retrieved and revitalised in the seventh century[13] by Sankara in whom the power of the Indian mind once again found its highest expression. He has been described rightly as "efflorescence of India's national genius." He brought about a great cultural revolution and provided a clear focus to the classical Hinduism. He was not only one of the greatest thinkers but also one of the greatest 'doers' that India has produced. He denounced the muddled philosophy of decadent Buddhism. At the same time, he showed great reverence to the 'ethical and psychic beauties' of Buddha's teachings and absorbed them in the fold of a re-invigorated and re-charged Vedic Hinduism, thereby rendering a separate existence of Buddhism in India unnecessary. The feuding denominations of Hinduism were also re-synthesised. He gave a pre-eminent place to liberation which could be achieved alone through knowledge which, in turn, could be secured through asceticism and meditation.

Sankara proved with an unmatched sophistication and intellectual subtlety the 'psycho-structural oneness' of God and Man

[13]Historians differ on the period of Sankara's emergence on the Indian scene. Some of them believe that he appeared in the ninth century.

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and formulated a sound proposition : "Everything emanating from God must itself be God." His argument was simple and yet telling: "Whatever may be its outer form, shape, function and value, every ornament emerging out of pure gold must necessarily itself be pure gold."

As a practical reformer, he established four Mutts – Sringeri in the South, Badrinath in the north, Dwarka in the west and Puri in the east. He also set up a regular cadre of trained missionaries who took his message from one corner of the country to the other, thereby strengthening once again the cultural fabric of India. The strength of this fabric manifested itself in some of the finest pieces of art and architecture of the ninth and tenth centuries. "No single person could ever have achieved what he had achieved in his short span of life."[14]

Total Desertification

However, soon after the disappearance of Sankara from the scene, which coincided with the advent of Islam in India, Sankara's regenerative spirit had largely exhausted itself and the 'resolute practicality' which he brought to bear on his mission, petered out. *There was a long spell extending over centuries, in which there was a near total desertification of the Indian mind, with small meadows of green appearing here and there occasionally. The 'pearls from the necklace of Ganga' were lost and the river of fertility itself disappeared in the dry and dreary sands of sterility. Gone was the intellectual vitality of thought; gone was the blood stream of action; and gone was even the will to assert and be counted. The atmosphere was permeated with desolation of a smouldering crematorium and great vision of Bharat Varsha, and the underlying unity that it provides, was lost. 'Pliant adaptability' became the dominant feature of the times.*

It is, indeed, tragic to note that when Shahabuddin Muhammad Ghori invaded India "he found the people as ready for slaughter as they were two centuries ago. Like a paralysed body, the Indian

[14] *Sankara*: Swami Chinmayananda.

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people helplessly look on, while the conquerer marches on their corpse. They look staggered for a moment, only to sink back in pliable acquiescence to the inevitable." R.C. Majumdar has rightly observed:

> There was lack of wisdom and statesmanship, of the knowledge of the outside world, and of a desire to keep abreast with the spirit of the time. No realistic adjustment, no far-sighted approach to the problem which had stared them in the face for centuries and threatened their very existence, no improvement in outlook, no elevation of political vision from their petty jealousies and parochial ideals, and consequently no preparation for a concerted defence commensurate with the extent of the danger. National consciousness, love of country, and pride of freedom were smothered under the weight of a mass of rituals and social conventions, a petty-minded vanity, and narrow selfishness. Add to this the not infrequent cases of treason and treachery on the part of ministers and other officials, and we shall have a fairly complete picture.

At another level, pomposity, hollowness, conceit and self-centredness caused a virtual 'closure' of the Indian mind. In 1100, Al Beruni, who visited India around that time, noted:

> The Indians believe that there is no country but theirs, no nation like theirs, no king like theirs, no religion like theirs, no science like theirs...They are by nature niggardly in communicating what they know, and they take the greatest possible care to withhold it from men of another caste from among their own people, still more of course from any foreigner...They are in a state of utter confusion, devoid of any logical order, and in the last instance, always mixed up with silly notions of the crowd.

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Causes of Desertification

This period of decay could be attributed to five main causes. First, in the march of civilisations, cycles of 'ebbs' and 'flows' are generally witnessed. It is, perhaps, a law of history,[15] inherent in the nature of things. Secondly, the priestly class became extremely selfish. It began to misuse its pre-eminent position in the caste-system and distort the Shastras to suit its narrow ends. Extensive interpolations were made in the Vedic literature. Religious practices were reduced mainly to rituals. Superstitions and fatalism were encouraged. The entire community was made spineless and rendered incapable of giving a fight to any adversary, internal or external. Thirdly, Chanakya's political philosophy of statecraft, as articulated in the Arthasastra[16] which was wholly Machiavellian in concept and relevant to the maintenance of a vast empire like that of Chandra Gupta Maurya, began to be invoked by petty kingdoms –not only against their equally petty neighbours but also against their own friends or foes within the kingdom. Deception, duplicity, intrigue and treachery gained ascendancy and moral chaos gripped the scene. Fourthly, Asoka's paralysing pacifism proved disastrous. The people forgot wholly one of the crucial messages of the Gita: "If you do not fight the just battle, you will fail in your own law and in your honour and you will incur sin." Fifthly, whatever few healthy strands of the once great civilisation remained were destroyed by foreign

[15]According to Aristotle, history is a series of processes of growth and decline. David Hume, too, believes that history is cyclical in its movement, with times of peace and progress being regularly followed by times of war and destruction. Many other prominent thinkers and philosophers hold similar views.

Later on, Swami Vivekananda observed poignantly: "India's doom was sealed the very day it coined the word Mlechha."

[16]*Arthasastra* is a remarkable work of a powerful mind. Chanakya was a brilliant intellectual who spun out a highly scientific and logical political theory of acquiring, managing and extending power. He advises the ruler to remember that he lives in a wicked and merciless world, and if he wants to maintain or extend his rule, he must become an adept in the arts of deception, lying, treachery and lulling the enemy to sleep. Notwithstanding its merit as political theory and its relevance to the Mauryan times, *Arthasastra* injected cynicism, immorality and deceit deep in the mind of the political rulers of petty kingdoms which, later on, came on the scene.

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invaders. Such strands, as history often shows, are incapable of withstanding the savagery and brute strength of the invaders. The mighty ancient civilisation of Rome crumbled to dust at the hands of the Arabs.

Meadows

All this, however, does not mean that the positive features of the Indian heritage disappeared altogether. As I have noted above, some meadows of greenery existed even in the vast creeping desert. South India had quite a few of them. The Vijayanagar Empire, for example, for three centuries, thirteenth to sixteenth, stood for old traditions and classical culture of India and "saved these from being engulfed by the rush of new ideas and forces." The candle of the ancient times was also kept burning, by the kingdoms of Rashtrakutas, the Chalukyas, the Pallavas and the Cholas.

From time to time, there also appeared on the scene, powerful personalities and movements. Maharana Pratap, Chhatrapati Shivaji, Guru Govind Singh and Maharaja Ranjit Singh were the outstanding examples not only of creative and constructive capacity of India but also of its strong disposition to fight when injustice and untruth crossed all limits. Guru Govind Singh's Zafarnama is a classic case of "defiance and contempt for an earthly power which is yoked to tyranny and sin." In a challenging tone, he asked the Mughal Emperor: "What is the use of putting down a few sparks when the flame is burning more fiercely than ever?" His highly awakened spirituality and insightful practicality led him to believe that organised and institutionalised evil could be vanquished only by an organised and institutionalised good and the forces of injustice, intolerance and tyranny could be successfully fought only by injecting fervour, faith and fighting spirit in the pure and pious minds. It was in pursuance of this belief that he founded the Order of the Khalsa – a brotherhood of saint-soldiers, who were to wield the sword to protect virtue against vice.

Earlier, as a part of the reformative urges that were arising in a section of the people, the Sikh religion had been founded by Guru

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Nanak. His message was simple and yet profound. He preached love, humanism, castelessness and brotherhood of man. His holistic view of Reality and Nirankar and of one Cosmic Spirit pervading all the elements of life and nature was basically Vedantic in concept and infused fresh blood in the ever-weakening veins of Indian culture and its value system. Guru Granth Sahib, the holy book of the Sikhs, was largely a product of his powerful mind.

Another glorious example of this genre is provided by Shivaji, who welded together the entire Maratha community, "scattered like atoms through many Deccani kingdoms", into a mighty group and built in the great Maratha Empire. Shivaji's[17] task was facilitated by the unity of mind and the underlying sense of belonging created amongst the Marathas by the preachings of the social reformers and saint-poets – Gyaneshwar, Namdev, Ekanath, Tukaram etc. About Shivaji's significant role in history and his powerful mind, Percival Spear has rightly observed: "His genius lay not only in outwitting the Mughals with guerilla tactics but also in welding the people, caste-conscious Brahmin and independent Sudra, into a harmonious whole. The defence of cow and country, of religion and homeland, was the war cry. It was both Maratha nationalism and Maratha Hinduism, an embryonic regional national state."

The great saga of Maharana Pratap constitutes another exception to the general trend towards 'pliant adaptability'. Referring to his numerous acts of heroism against the mighty Mughals, Todd has observed: "Had Mewar possessed her Thucydides or her Xenophon, neither the wars of the Peloponnesus nor the retreat of the 'Ten Thousand' would have yielded more diversified incidents for the historic muse than the deeds of Pratap."

In Maharaja Ranjit Singh, the power of the Indian mind showed itself in his great leadership and modernising instinct. His

[17]Shivaji was personally influenced by two great saints — Tukaram and Ramdas. Tukaram sang the glory of God in simple poetry and helped in welding the unity of minds amongst the Marathas. Ramdas inspired Shivaji with the idea of reviving Hindu Dharma.

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organising capacity came to the fore when he raised an army whose strength equalled that of the British Indian Army on the eve of the World War II (1939). It included 92,000 infantry and 31,800 cavalry and artillery with 384 heavy guns and 400 light guns. His uncanny insight and mental alertness made him realise the immense superiority that techniques of modern warfare and scientific and technological innovations provided to army. He had, therefore, no hesitation in employing foreign experts, particularly those who had first hand experience and had proved their mettle in actual wars. He secured the services of such war veterans of Napoleon's army as Jean Baptiste Ventura and Jean Francis Allard. The former trained the infantry and the latter the cavalry. Claude Auguste Court, a specialist in manufacturing of guns, became the head of the ordnance factory. He got fabricated light, medium and heavy guns of very high quality. Honigberger, a Hungarian, was another expert engaged in the management of gun-powder and other ammunition. A few more experts were put in charge of positions requiring special skills. Ranjit Singh could, thus, be reckoned as practically the first Indian ruler who effectuated transfer of technology and management skills.

In the industrial sphere, too, India continued to show ingenuity and skills which she acquired in the days of her creative period. For example, her technical and artistic superiority in production of cotton and iron/steel remained upto the nineteenth century. John M. Hobson has rightly noted:

> The two major industries of the British industrial revolution were cotton and iron/steel. What is particularly striking here is that in both these industries, India led the way up to the eighteenth, if not the nineteenth, century. India was well known for its production of Wootz steel which was exported to Persia, where it provided the foundation for the famous Damascus (Damask) steel. Blast furnaces were evident during the Mughal period, with some 10,000 in place by the end of the eighteenth century. Moreover, Indian steel remained not only superior to that produced in Sheffield but was also

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> cheaper. And even with the onset of British industrialization the gap between European and Indian steel, though closing, remained considerable. India was also the foremost cotton-textile producer in the world. Its production of silk textile was almost as impressive.[18]

All this shows that the inner strength of the Indian mind had not altogether disappeared. Its resilience was also evident in the Bhakti movement[19] and the Sufi faith which combined in themselves some of the best traits of both Hinduism and Islam. Kabir was the true representative of this synthesis. He called himself a child of Rama and Allah and preached the pre-eminence of the 'rosary of mind'. He raised such pertinent questions as these: "If God be within the mosque, then to whom does this world belong? If Ram be within the image, then who is there to know what is without?"

Akbar was another embodiment of the cultural synthesis. So was Dara Shikoh, the author of two invaluable treatises, "Majma-ul-Bahrain" (Unity of Two Seas) and "Sarr-i-Asran" (Secret of Secrets). Both Akbar and Dara Shikoh even showed signs of creating a national monarchy.[20] The former abolished discriminatory taxes

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[18]John M. Hobson: *The Eastern Origins of Western Civilisation*, p. 85.

[19]Bhakti movement meant total and graceful surrender to God with a view to realising Him within oneself. It was a new way of looking at Hinduism, in the context of its contact with Islam. But its basic inspiration came from one of the messages of Gita: "Surrender all; take refuge in Me."
Vidyapati, Ramananda, Kabir, Guru Nanak, Tulsidas, Mira Bai, Umapati, Jnaneshwar and scores of other poets and preachers served as torch-bearers of the Bhakti movement which acted as a soothing balm on the tormented soul of the masses of the times. But the movement did little to re-ignite the original power of the Indian mind; rather it gave a fillip to the forces of escapism.

[20]This becomes clear from a remarkable letter of protest which Shivaji wrote to Aurangzeb in 1680 when Jazia was reimposed: "The architect of the fabric of the Empire, Akbar Padshah reigned with full power for fifty-two lunar years. He adopted the admirable policy of perfect harmony in relation to all the various sects... The aim of his liberal heart was to cherish all the people. So he became famous under the title of the *world's spiritual guide*. Through the auspicious effect of this sublime disposition, wherever he (Akbar) bent the glance of his august wish, victory and success advanced to welcome him on his way."

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of Jazia and poll tax on non-Muslims and attempted to evolve a new religion, the Din-e-Ilahi. The latter was highly eclectic by nature and saw a great virtue in synthesising the message of the Quran with that of the Vedanta.

Stronger Wave of Degeneration

With the collapse of the Mughal power, India witnessed a still stronger wave of degeneration. The extent of this degeneration could be seen at the time of invasion of Nadir Shah, a Persian adventurer in 1739. Taking advantage of the brawl between the local inhabitants and the soldiers, Nadir Shah ordered a general slaughter of the citizens of Delhi on 11 March 1739. The extent of killing can be imagined from the fact that when Mohammad Shah, the Mughal king, came to Nadir Shah to beg for mercy, he said: "Not a soul has been spared by your avenging sword. If it be Your Majesty's wish to carry on the work of destruction further, infuse life into the dead and revive the slaughter."

The day of slaughter was followed by eight weeks of systematic loot and plunder. The booty of Nadir Shah included every single article of any value. He took away almost the entire wealth accumulated by the Mughals in India. The peacock throne, priceless stones such as the Koh-i-Nur and Darya-i-Nur, fine pieces of art, thousands of horses, camels, and elephants, and numerous books and manuscripts were taken away. He deprived the city not only of material wealth but also of its intellectual and scientific potential. He took away with him the men most knowledgeable in the field of medicine and engineering.

Delhi was brutally ravished and denuded of its charm and exuberance. It is sad to note that the city did not display the will to fight, the will to save its honour. Its citizens allowed themselves to be slaughtered like lambs. Hardly had India recovered from the shock of Nadir Shah's slaughter and plunder, that Ahmad Shah, a protégé of Nadir Shah, administered another severe blow to it in 1757. He plundered whatever wealth the city had accumulated during the period intervening between his adventure and that of

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Nadir Shah. The city had once again to pay heavily for its indolence, for its unwillingness to fight, and for its refusal to learn from the past misfortunes. Its soul had been numbed by inaction.

The ease with which a mere trading company – East India Company – was able to establish its rule speaks volumes about India's indolence and general lack of character. She lay prostrate, deserted and betrayed by her own people.

The British rule was ruinous for India in many respects. Her economy was ravished. The loot was not a one-time affair, as it happened during the invasions of Nadir Shah and Ahmad Shah. It was in-built in the trading system which the British rulers set up. The loot of India's economy was subtle, systematic and long term. The raw material was taken away at cheap rates and the manufactured goods dumped at high prices. Indian textiles, which were of unique quality, were virtually destroyed, and her agriculture was oriented towards cotton, jute, oil seeds etc., which the British industry needed at home. India was badly impoverished. There were recurring famines. According to British records, one million Indians died of famine between 1800 and 1825; 4 million between 1825 and 1850; 5 million between 1850 and 1875; and 15 million between 1875 and 1900. Thus, 25 million Indians died in one hundred years.

RECLAMATION AND FERTILISATION OF THE DESERTS OF THE INDIAN MIND

Nevertheless, British rule in India, proved in some ways a blessing in disguise. It provided complete peace and unified the country through a vast network of roads, railways, post offices and a single language. It set up a strong administrative machinery which was remarkable not only for its effectiveness but also for extending justice to the common man and undertaking welfare works. And its impact in social and cultural arenas proved most beneficial.

Blessing in Disguise

As a result of the impact of English education and European civilisation, the Indian mind gradually emerged out of its dark and

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frozen shell and experienced the light and warmth of its own great and varied heritage. A pioneering work in this respect was done by the European scholars and members of the Asiatic Society of Bengal. The gems of Indian culture, about the existence of which Indian themselves had become unaware, were dug out of obscurity, and their sparkle dazzled the Indian as well as Western elites.

In Chapter VII, in the section dealing with the state of our archaeology, I have described how Sir William Jones translated Kalidasa's *Shakuntala*, how he unfolded the history of Chandra Gupta Maurya by juxtaposing it with a stage of Greek history; how Cole Brooke translated the Vedas and Wilkins the Bhagavad Gita; how James Princep deciphered the Asokan inscription and solved the tangle of Kharosthi and Brahmi scripts; and how Captain E. Fell discovered the Sanchi Stupa and Erskine brought to light the Ajanta caves and their paintings. All these discoveries acted as a tonic on the Indian mind, jolted the sleeping giant, injecting new confidence in him and making him think about the great products of his past and his potential for the future. Activated further by the contact with Western liberalism and scientific spirit, the Indian mind created new social and cultural forces which brought about the great renaissance of the later nineteenth century and early twentieth century.

Rekindling of the Power by a Galaxy of Reformers and Creation of a Civilisational Base

Raja Ram Mohun Roy,[21] who has rightly been hailed as the Father of Modern India, was the initiator of this Renaissance. His powerful mind worked in many directions and was responsible for bringing about a host of social, cultural and political reforms. He set his face against the forces of obscurantism and advocated plantation on the native soil healthy strands of the scientific civilisation of the West. He enthusiastically advocated new learning through the medium of English language. He was wrongly accused of having

[21]Raja Ram Mohun Roy was born in 1772 and died in 1833. He was a great scholar of Sanskrit and English. He was the founder of the Brahmo Samaj.

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accepted Christianity. But, as noted by Dr. W. Stratford, "Raja Ram Mohun Roy was no Deist or unbeliever but a loyal Hindu, a Brahmin of Brahmins steeped in the lore of Upanishads." He was a true Olympian figure who fought social evils wherever they existed and who wanted fresh air to pierce into the suffocating layers of Indian society. In the most apt words of his biographer, Sophia Dobson Collet, "Ram Mohun stands in history as the living bridge over which India marches from her unmeasured past to her incalculable future."

Macaulay's minutes 1835.

Despite the above healthy trends, during the early phase of the British rule, India largely remained diffident. Lord Macaulay and the like even attempted to de-culturise it totally. In his well-known 'Minute' of 1835, Macaulay recorded: "We must have a class of persons, Indians in blood and colour, but English in taste, in opinions, in morals, and in intellect." His imperial disdain and ignorance about the civilisations of the East is reflected in such observations as these: "Who could deny that a single shelf of a good European library is worth the whole native literature of India and Arabia?" At that time, even a section of educated Hindus openly denounced Hinduism and said that they were ashamed of their origin. They did not think it improper to adopt English norms and modes of living, particularly when it helped them in getting government jobs.

But the flame of Renaissance had been lighted and it was bound to spread. The forces feeding it were inherent in the situation and too strong to be checked by a small section who saw nothing good in ancient Hindu culture and civilisation. It was only a matter of time that the entire country would be engulfed by it.

Maharashtra soon experienced the reformative upsurge through the Prarthana Samaj whose members largely came from the tradition set by Maharashtrian saints of fifteenth and sixteenth centuries, such as Gyaneshwar, Tukaram, Namdev and Ramdas. The main prop of this reform movement was Justice M.C. Ranade. His scholarly, balanced and practical outlook made him see, on the one hand, integrative links between the past, present and future,

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and on the other, the need for total and simultaneous reform of the individual, the society and the State. He said:

> You cannot have a good social system when you find yourself low in the scale of political rights; nor can you be fit to exercise political rights unless your social system is based on reason and justice. You cannot have a good economical system, when your social arrangements are imperfect. If your religious ideas are low and groveling you cannot succeed in social, economical and political spheres. This inter-dependence is not an accident but it is the law of our nature.

Justice Ranade also underlined:

> There are those among us who think that the work of the reformer is confined only to a brave resolve to break with the past, and do what his own individual reason suggests as proper and fitting. The power of long-formed habits and tendencies is ignored in this view of the matter. The true reformer has not to write on a clean slate. His work is more often to complete the half-written sentence.

Later on, the Maharashtrian scene was dominated by Bal Gangadhar Tilak who was not only a stalwart of the freedom movement but also a great social and cultural reformer. He made a great impact on the Indian mind. What marked his contribution to the new awakening was his ability to arouse enthusiasm of the masses by making use of the central message of the Gita: "Action is the fulfillment of life. Be a Karmayogi. 'Arise and fight.' He was a superb tactician who perfected the art of galvanising[22] the people and making them shed their inertia.

The Arya Samaj was another powerful reform movement of the nineteenth century. Its founder, Swami Dayanand Saraswati, was

[22]When Tilak died, his hold on the masses was commented upon by Mahatma Gandhi in his write-up in *Young India*: "No man of our times had the hold on the masses that Tilak had. The devotion that he commanded from thousands of his countrymen was extraordinary. He was unquestionably the idol of his people. His word was law among thousands."

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a dynamic leader who believed that the true reform of the society lay in 'going back to the Vedas' which were the repository of all the knowledge and wisdom of the world. He traced the social evils of the Hindu society to the subsequent interpolations made by ignorant and selfish persons in the Vedas whose content, in original form, contained no restrictions of caste, no prohibition of widow remarriage, no bar to female education and no fiat against re-conversion to Hindu faith. Swami Dayanand's constant exhortation to his followers was: "The Vedas have long ceased to be taught in Bharatvarsha, go and teach them, teach the true Shastras and dispel, by their light, the darkness which the false creed have given birth to."[23]

Later on, the Arya Samaj, under the leadership of Mahatma Hans Raj and other leaders brought about a virtual revolution in education, particularly in Punjab and Western Uttar Pradesh by spreading both the Eastern and Western knowledge through hundreds of schools and colleges set up by Dayanand Anglo-Vedic Educational Society.

It was Vivekananda who really changed the tide of history. He was a true prophet[24] of the Renaissance of the later nineteenth century and early twentieth century. He burst upon the scene like a storm and swept away quite a few heaps of garbage of the degenerated past and rid the Indian soul of a substantial portion of its pollution. He exposed the superficiality of the upper classes of Hindu society and gave a revolutionary call for the emergence of new India:

> However much you may parade your descent from the Aryan ancestors and sing the glories of ancient India day and night,...you, the upper classes of India, do you think you are alive? You are but mummies ten thousand years old. It is amongst those whom your ancestors despised as 'walking

[23] *Dayanand Saraswati*: Satyartha Prakash.

[24] I have considered it necessary here to deal with Vivekananada's message a little more in detail than that of other reformers because it is connected more with the items on my agenda for reforms which I would be unfolding in the next Chapter.

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> carrions' that the little of vitality there is still in India is to be found; and it is you who are the real walking corpses. Your houses, your furniture look like museum pieces, so lifeless and antiquated they are...In this world of Maya, you are the real illusions, the real mirage in the desert...You merge yourself in the void and disappear, and let new India arise in your place. Let him arise out of the peasant's cottage, out of the huts of fisherman...the cobbler, the sweeper. Let him emanate from the grocer's shop. Let him emerge from grooves, and hills and forests...These common people have suffered oppression for thousands of years – suffered without murmur – living on a handful of grain; give them only half a piece of bread, and the whole world will not be able to contain their energy.

This type of plain speaking was badly needed to shake off the shallow complacency of the Indian elite. Vivekananda was equally blunt with the Indian baiters and Christian missionaries:

> You, Christians, who are fond of sending out Christian missionaries to save the souls of Heathens, why do you not try to save their bodies from starvation. It is an insult to a starving man to offer him religion.

Vivekananda attached great importance to solid work. He advocated what he called the practical Vedanta. "One ounce of practice", he used to say, "was worth twenty thousand tons of big talk." When some of his fellow-Ashramites asked him how his proposal of setting up the Ramakrishna Mission for practical service was reconcilable with the 'Sanyasi' tradition, he answered with a great deal of fervour:

> Who cares for your Bhakti and Mukti? Who cares what the Scripture says? I will go into a thousand hells cheerfully if I can arouse my countrymen to stand on their own feet and be men inspired by Karma-yoga. I am not a follower of Ramakrishna or anyone. I am follower of him only who serves and helps others without caring for his own Bhakti or Mukti.

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On another occasion, Vivekananda questioned his own class: "What have we done, we the so-called men of God, the 'Sanyasins'? What have we done for the masses?" His master, Ramakrishna had told him that religion was not for the empty stomach. He equated service to the poor, the sick and the needy as service to God. "Jiva", he emphasised, is "Shiva". Salvation could be attained by serving the millions of 'the starving Narayanas', 'the oppressed Narayanas' and 'the outcaste Narayanas'.

No one felt more acutely than Vivekananda the overwhelming "need for a recreated vitality in a nation drained of its vigour through the centuries." And this 'recreated vitality', he knew, could be brought about by applying in practice that strand[25] of Hinduism which believed in rendering service to God through the service to Man.

An equally great historic contribution made by Vivekananda was to dispel the wrong notions prevailing amongst the Americans and Europeans about India. He brought home to the world at large the unique strength and basic greatness of the Indian culture and civilisation. In his famous address to the Parliament of Religions in Chicago, he described Hinduism as the mother religion which had taught the world both tolerance and universal acceptance. He said:

> The Hindus regard all religions as so many attempts of the human soul to realize the Almighty, determined by the conditions of its birth and association and each of these marked a stage of progress. Every other religion lay down certain fixed dogmas and tries to force society to adopt them. It places before society only one coat which must fit Jack and John and Henry, all alike. If it does not fit John or Henry, he must go without a coat to cover his body.

[25]It needs to be noted that this strand of Hinduism is not at all incompatible with secularism, and it has the pre-eminent advantage of providing inspirational impulse inherent in religion.

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Another towering figure of the renaissance period was Sri Aurobindo.[26] He was certainly the greatest philosopher, poet and 'yogi' of India in the twentieth century. He saw clearly how glorious had been the ancient past of India and how a rich crop of spirituality had grown over its soil. His philosophic insight and penetrating intellect spotted the inherent vigour and vitality of this spirituality. He played a great role in creating in the Indian people a positive and powerful yearning towards the national past and a still more mighty and dynamic yearning towards a truly national future. He told them in no uncertain terms: "What India needs at the moment is the aggressive virtues, the spirit of soaring idealism, bold creation, fearless resistance, courageous attack."[27]

Functioning from his somewhat secluded ashram in Pondicherry, he served the country as a powerful light-house of inspiration, showing to its people the right way – the way of emancipating the soul of India and building a great future for her on the foundation of her great past. He infused confidence in the otherwise diffident nation by constantly reminding: "Ours is the eternal land, the eternal people, the eternal religion, whose strength, greatness and holiness may be over-loaded but never, even for a moment, cease". Time and again, he said: "India of the ages is not dead, nor has she spoken the last creative word; she lives and has still something to do for herself and the human people." In his booklet, *Bhawani Mandir*, he had earlier written:

> India cannot perish, our race cannot become extinct, because among all the divisions of mankind it is to India that is reserved the highest and most splendid destiny, the most essential to the future of the human race. It is she who must send forth from herself the future religion of the entire world, the Eternal religion which is to harmonise all religion, science and philosophies and make mankind one soul.

Bhawani Mandir

[26]Sri Aurobindo lived from 1872 to 1950 and spent a major part of his life at his Pondicherry Ashram. His intellectual and philosophic output was phenomenal. His great works include *The Life Divine, Savitri and Essays on Gita.*

[27]*India's Rebirth*, p. 9.

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What did Sri Aurobindo mean when he talked of India's destiny and India's religion? He himself provided the answer:

> When it is said that India shall rise, it is the Sanatana Dharma that shall rise. When it is said that India shall be great, it is the Sanatana Dharma that shall be great. That which we call the Hindu religion is really the eternal religion, because it is the universal religion which embraces all others. If a religion is not universal, it cannot be eternal. A narrow religion, a sectarian religion, an exclusive religion can live only for a limited time and limited purpose.

Such views propagated through his extensive writings, thrilled a good part of the nation and created new confidence, new urges and a new sense of mission. They also made the Western world take greater interest in India and look at her with greater respect.

Sri Aurobindo wanted *Poorna Swaraj*, complete freedom, for India. This, he thought, was absolutely necessary not only for the well-being of India but also for the well-being of the rest of the world. She alone could "free the world from its enslavement to materialism and to point out the way towards a dynamic integration of Spirit and Matter and to make life perfect with Divine Perfection."

Gandhi was the brightest star of the Reform Movement. In him, strands of social, political, cultural and religious reforms are so intermeshed that it is impossible to separate one from the other. He himself described his outlook on politics in these words:

> The politician in me has never dominated a single decision of mine, and if I seem to take part in politics, it is only because politics encircle us today like the coil of a snake from which one cannot get out, no matter how much one tries. I wish therefore to wrestle with the snake.

And he picked up quite a few vital points from the teachings of Vivekananda. Like him, Gandhi had innate faith in the inherent strength of Indian culture, and interpreted Hinduism as a positive and elevating force for ennobling and humanising society. His basic

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ideas of truth, non-violence and welfare of the deprived and disprivileged were Vedantic in spirit and he was able to inject them in the social and political landscape of India by practising them in his own life and by basing his political decisions on them.

Gandhi's great success in making the freedom struggle a mass movement lay in his ability to spiritualise politics and appeal to those ideals of truth, justice, 'tyaga', 'tapasya' and action without expectations of reward' which lay dormant in the Indian mind for ages. In his autobiography, Gandhiji wrote:

> Such a power as I possess has been derived from my experiments in the spiritual field. Truth is the sovereign principle and *Bhagwad Gita* is the book *par excellence* for the knowledge of the truth.

Gandhi personified not only the re-ignited power of the Indian mind but also its purity and additional strength that come from such a purity. He believed: "politics bereft of principles are death traps; they kill the soul of the nation." He stood by his belief till the end of his life and won for India a moral stature unique in world history.

There were a number of other leaders like Gokhale, Rajendra Prasad and C. Rajagopalachari who, in their own ways, drew inspiration from the ancient culture of India and symbolised the rekindled power of her mind. But they were concerned more with day-to-day politics than with elevating further the mindscape of the country and making her moral and cultural fibre stronger and purer.

Subash Chandra Bose, a stalwart of India's freedom struggle, was a class by himself, and he strengthened the Indian fibre and changed the Indian mind in a different way. He injected in both an organising and fighting spirit which surprised and frightened the British rulers. During the war, he managed to give a slip to the authorities, aligned himself with the Axis powers, reached Germany and then Japan, after highly hazardous journeys, and organised the Indian National Army out of the British-Indian soldiers, who

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Forgotten Army by Peter Ward Fay.
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had earlier surrendered to the Japanese forces and entered India through Burma. His bold adventure failed. But it had its effect. Unfortunately, he has not been given credit that is due to him. As Peter Ward Fay has observed in his book, *The Forgotten Army*: "It is only the tale of Nehru and Mountbatten and Freedom at Midnight and of transfer of power". Seldom do we hear of the impact of Subash Chandra Bose's Indian National Army, the organization which convinced the British rulers that they could no longer rely upon the main instrument of their rule."

Puncturing the Civilisation Base

On a separate front, as the freedom struggle gained ground, the British rulers gave a sharper edge to their strategy of divide and rule. They punctured the very civilisational base of the freedom movement and also the very process of cultural strength and synthesis which the reform movements of the later nineteenth century and early twentieth century were bringing about. The communal award and the separate electorate were some of the deadly tools deployed by them to carry out this task of puncturing. Inevitably, in course of time, a group emerged which propounded the two-nation theory and declared that Hindus and Muslims represented two separate civilisations.

While Gandhiji and his band of dedicated colleagues succeeded immeasurably in strengthening the freedom struggle and provided high moral and humanitarian values to it, they could not evolve an effective strategy either to counter the two-nation theory or to meet the challenge of violence embedded in 'direct action'. Their failure in this respect, it is seldom realised, was due to their inability to fully adhere to another great tradition of India which lay in the virtue of fighting the evil when it crossed certain limits. The forces which led to the partition should have been fought before they became too powerful to be controlled.

Consequently, when freedom came, it was embittered with partition. The tryst with 'destiny' was accompanied by a tryst with blood and bones. Ironically, an event which consumed about half

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a million innocent lives and caused one of the biggest migrations known in history, with all its attendant miseries, is associated with what is called non-violent revolution. History, it is said, has many cunning passages. And this, in my opinion, is one such passage. The failure of the Indian leadership in preventing the partition and the accompanying brutalities, and also its long-term fallouts, has been greatly underplayed in contemporary history. Amrita Pritam, a renowned Punjabi poetess, was more near the truth when she addressed Warris Shah thus:

O, Comforter of the sorrowing,
Rise and behold Punjab
Its fields are strewn with corpses
And blood is in River Chenab.

Four Fundamental Facts as seen through the Spectacles of History

At the time of Independence in 1947, the above would be an overall picture of about 5000 years, if one were to see it through the spectacles of history, with the lens focussed on the underlying forces. Unfortunately, the leadership that emerged in post-1947 India did not possess those spectacles. If it had such spectacles and used them for studying the undercurrents, and it had also the motivation and foresight to re-build India in an original mould and in accordance with her full potential, it would have discovered the four fundamental facts enumerated below and formulated a grand strategy for the future keeping them in view. These four facts are:

First, for centuries India had a powerful and profound 'mind' which was reflected in its unique thoughts and deeds, and this power should be rekindled to facilitate the acquisition of new insights and develop new ideas and originality of approach.

Secondly, the 'mind', referred to above, had suffered from about 1000 years of desertification, the causes of and lessons from which should be studied in depth with a view to educating the people about their social, political, moral and organisational weaknesses

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and ensuring that no such misfortune befalls India again.

Thirdly, the forces of reform and regeneration which were set in motion by the nineteenth and twentieth century reformers who had been able to recapture the power, profundity and purity of the Indian mind, are strengthened and given a sharper edge and spread over a larger canvas.

Fourthly, the civilisational and cultural base of the nation should be strengthened and evil forces like those which caused partition should be spotted at the earliest and given a fight to nip them in the bud.

But nothing of the sort happened. The leadership turned a blind eye to the deeper currents of our long history and its ecstasies and agonies, its triumphs and tragedies. It made no attempts to pick up gems from its vast tray, polish them and use them as valuable assets. Nor did it throw out the rubbish from the same tray. Its approach was marked by an absence of originality and by the lack of appreciation of the special problems that our mixed baggage presented.

Great moments in history call for great visions to turn them into springboards for jumping into the future with new creativity, new capacity, new commitment, new courage and new confidence. For producing that vision and for acquiring that creativity, capacity, commitment, courage and confidence, rekindling of the power of the Indian mind was an essential pre-requisite. Unfortunately, no step was taken in this direction by the leadership of the post-1947 India. The nation has paid a heavy price for this historic lapse. It has added a mountain of new problems to the old and chronic ones. The paramount need of the hour is to undo the lapse and make good the deficiency of the past 57 years. In the chapter that follows I would indicate ways and means of doing so and make concrete proposals in this regard.

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CHAPTER XII

FREEING OF THE LONG SUPPRESSED SOUL OF INDIA

BLUEPRINT FOR REFORMS (Continued)

Superior to the sense organs is the mind,
Superior to the mind is the intelligence,
Superior to the intelligence even is the great soul,
Superior to that great soul is the unmanifest.

KATHOPANISHAD

The goal of all journey is to return home to the soul's stasis and the peace of India. The final wisdom is to recognize the truth of life as Brahman but seen in one's own soul. And India somehow provides the image of this and the soul to these writers, and that is why in all these cases the discovery of the soul is also the discovery of India. "Thou art that", and "that" is India[1].

K. CHELLAPAN

It was in the background and circumstances described in the last Chapter that Jawaharlal Nehru stood up in the Constituent Assembly on August 14-15 midnight and spoke these historic words:

> At the stroke of midnight when the world sleeps, India will wake to life and freedom. A moment comes, which comes

[1]This is an extract from Chellapan's essay. 'A Passage to India: a study of E.M. Forster, Somerset Maugham and Hermann Hesse'. These are the three writers who have been referred to in the above quote. Each speaks about India through his main character for whom discovery of India turns out to be a discovery for his true self. For example, Somerset Maugham, speaking through Larry in *Razor's Edge*, says : "I have suddenly become aware of an intense conviction that India had something to give me that I had to have". Likewise, through his character, Hermann Hesse talks of India as "the home and youth of soul". And yet it is this India that the present-day Indians are refusing to discover and are instead digging their furrows with borrowed thoughts.

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but rarely in history, when we step out from the old to the new, when an age ends, and when the *soul of a nation, long suppressed, finds utterance.*"[2] (Italics mine)

Crucial Questions

After 57 years – when the above historic words, pregnant with poetic insight of rare beauty, were spoken – should we not be asking ourselves a few crucial questions? Did the 'long suppressed' soul of the nation find an expression in free India? Did we ponder over the negative factors and forces that caused this 'long suppression' and take solid and sustained measures to end this negativity and simultaneously move in the direction of recovering the power, purity and profundity of the mind which India once possessed? Did we do anything worthwhile to pick up the healthy threads of the reform movements of the nineteenth and twentieth centuries, strengthen them and use them to create healthy individuals, a healthy society and healthy State?

We are not asking these questions. Nor have we asked them during 'pre-reform' (1947-1990) or 'post-reform' (1991 onwards) periods. Consequently, in both the periods, as has been shown by the analysis done in Chapter VI and Chapter VII, the fundamental forces that govern the life of a nation have remained the same. There has been the same inclination to be imitative, the same disposition to ignore the need for evolving an original model, the same propensity to greed and intrigue, the same desire to gain power by resorting to corruption and even criminality and the same mental blindness to imperil the future of the country by exploiting differences of caste, creed and ethnic groups and by taking patently irresponsible and financially reckless decisions.

[2]Apart from Nehru's utterances of the type quoted in the opening paragraph of this chapter, quite a few statements, expressing similar sentiments, were made by other leaders such as Dr. Rajendra Prasad and Dr. Radhakrishnan.

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Superficiality of Leadership

Soon after the attainment of Independence on August 15, 1947, the top leadership should have engaged itself with the problems emanating from the poverty of the soul of India and the pollution that had seeped into it during the period of its decline and degeneration. It should have realised that even the goals of material advancement that were being sought through scientific knowledge, technical skill and economic planning could not be attained without simultaneously making an earnest attempt to free her 'soul'; that the constitutional morality was as much needed as the sound provisions of the Constitution; that the architects and engineers of soul had to be engaged along with the architects and engineers of modern institutions; and that new temples of 'economic development' required, besides the skill and scientific technique, clean hands and pure hearts.

Unfortunately, no such realisation, in any meaningful way, dawned upon the leadership of post-1947 India. In early years of this period, pious declarations were sometimes made, but they were not followed by any positive action. What was worse, the little candle ignited by the stalwarts of the later nineteenth century and early twentieth century reform movements was not used as a light to search the right path for the future.

Scenario

If the present trends and attitudes persist, India would, in the best of scenario, be nothing more than a Third World country, living with an illusion of progress and agenda set by others, and, in the worst, a nation constantly at war with itself and exposed to the risk of disarray and disintegration. Things could even take a worse turn. A situation could arise when "spirituality will be extinct, all moral perfection will be extinct, all sweet-souled sympathy for religion will be extinct, all ideality will be extinct; and in its place will reign the duality of lust and luxury as the male and female deities, with

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money as its priest, fraud, force and competition its ceremonies and the human soul its sacrifice."[3]

For the last 57 years, the national leadership has been so superficial in its approach to attain its declared constitutional objectives that it has not paused even for a moment to seriously think whether it was possible to establish an honest administration without an honest mind, a secular State without a secular society, a democratic structure without a democratic temper and a beautiful edifice without a beautiful instinct.

Roots of Failure : We – the People

On January 26, 1950, "We, the people", gave ourselves a modern Constitution committed to high ideals. But was it really "we" or a small segment of leaders of our freedom struggle, who were inspired by great ideas and idealism which were far removed from those of our true selves? Now, that "we – the people" are increasingly occupying a larger space on the national stage and appearing on the scene in our true colours, do these ideas and ideals not look mere expressions in words which are daily cast aside in our conduct, our behaviour and our attitudes? Are these conduct, behaviour and attitudes consistent with our constitutional aims of creating a fair and just society, committed to the rule of law?

Do "we – the people" understand the true meaning of democracy and its pre-requisite of having a clear and discriminating mind which can distinguish between the elementary right and elementary wrong and which is not led by destructive forces that bring the criminal and the corrupt to the forefront or cause further fragmentation of the already fragmented society? Do we not constitute an ever increasing network of bribe-takers and bribe givers?

How is it that "we – the people" have continuously been throwing up leadership that is willing to live with the worst type of social and cultural evils and not fight and end them? Why do even the most educated amongst us choose to go to the abominably dirty

[3]These words were used by Swami Vivekananda in one of his letters.

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temples controlled by abominably ignorant, corrupt and obscurantist elements, pay obeisance and make offerings in cash or kind or both?

How is it that "we – the people" remain intellectually and morally so timid as to invariably turn a blind eye to sordid heaps of degeneration that lie scattered all around us and not realise that for cleaning the stagnant and stinking drains of our society, strong reformative cultural current needs to be passed through it? Why is no one amongst us producing social, cultural and intellectual leadership which would look to the ancient times when the Indian mind was pure, powerful and profound and her soul creative, calm and compassionate and rekindle that mind and re-awaken that soul, and rebuild an India on the strength of the forces emanating from such a rekindled mind and such a reawakened soul?

And how is it that "we – the people" have all along been oblivious of what Swami Vivekananda had underlined about a century ago, viz:

> You may make thousands of societies, twenty thousand political assemblages, fifty thousand institutions. There will be no use unless there is that sympathy, that love, that heart that thinks for all. But where is the heart to build upon? Where are the foundations?

These days, as a major cause of poor governance, we often hear of the failure of the institutions – failure of the Executive, Parliament, Judiciary and other public and semi-public organizations. But we rarely hear of the failure that lies at the root of all these failures, that is, the failure of "we – the people". It is we – at least a substantial number of us – who have first to acquire pure and sympathetic hearts, powerful and profound minds and ennobling souls. Only then the nation would be able to find the right kind of persons and provide them with the right kind of motivation to take State institutions in the right direction and run them honestly, fairly and firmly.

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Recent Examples

Let me give you a few recent examples to indicate how "we – the people" – act as voters, or as leaders of political parties, or as functionaries of the executive, legislative, judicial and other institutions entrusted with the task of running the machinery of governance or as holders of Constitutional offices enjoying Constitutional protection to ensure impartiality of decisions and their insulation from day-to-day politics and other extraneous factors. It will be shown as to what a poor level of behaviour is exhibited in each of the above categories, and it will be argued that with such behaviour on the part of different constituents of power-structure of the State and society, no true or lasting improvement can occur in the quality of governance.

How Do "We – The People" Behave as Voters and Elect Criminal Elements

To check criminalisation of politics and entry of criminal elements in Parliament, amendments were recently made in election rules. It was, *inter alia*, made obligatory on the part of the candidate to file an affidavit, with his nomination papers, giving full particulars of the criminal cases, if any, pending against him in any court of law. The objective was to ensure that the voter had full information about the antecedents, character and dispositions of the candidate.

To my mind, it was clear from the very beginning that this would be another exercise in futility and another measure of self-deception to which our Election Commission, our courts, our arm-chair intellectuals and our newspaper columnists often resort to. And it turned out to be so.

In the course of elections to the fourteenth Lok Sabha, the candidates furnished the necessary information. Yet about a hundred candidates, who were involved in criminal cases, got elected. About 30 of them had such serious charges as murder, dacoity, rape, kidnapping and extortions pending against them.

The problem all along was the voters – the stuff that they were made of. Even prior to the amendments, the involvement of some candidates in criminal cases was known to the voters. But most of

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them were willing to ignore it. They were either beneficiaries of the criminal activities or considered caste, creed and other parochial factors as more important. Morality, rectitude, concern for the health of the polity or future of the country mattered little in their calculations. Clearly, the outcome of the amendments could not be different from what it came out to be. In fact, the number of Members of Parliament involved in criminal cases increased in the fourteenth Lok Sabha as compared to the corresponding number in the thirteenth Lok Sabha. Some of them even became Ministers in the Union Cabinet, holding important portfolios.

Unfortunately, our decision-makers – Election Commission, Parliament and Executive – did not have any inclination to deal with the real problem which lay embedded in the outlook of the voters; instead, they contented themselves by making a few amendments and entertaining a belief that the problem had been tackled.

How Do We Conduct Ourselves as Leaders of Political Parties

What the leaders of political parties, whom "we – the people" have been choosing and following, are doing to our system of democratic governance would be clear from the manner in which fragmentation[4] of our political structure is taking place. During the last three general Elections, the number of political parties with representation in the Lok Sabha has been around forty.

The days of governance with a clear majority of a single party or a few manageable parties seem to be over. The power is shifting to the States and regional parties. Besides being driven by insatiable personal ambition, parochial sentiments and caste and creed affiliations are being unscrupulously exploited by leaders of all hues and colours for short-term gains and ends of power. With the political system losing its centrality and becoming more

[4]At the time of 1998 (12th Lok Sabha) and 1999 (13th Lok Sabha) Elections, there were 176 political parties, besides independent candidates, who participated in the elections. Out of these, 7 were national registered parties, 30 were state parties and remaining 140 registered but unrecognised parties. In the 2004 elections, there were 7 national, 2 regional and 657 registered (but unrecognised) parties.

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unpredictable, effectiveness of governance cannot but be undermined.

Fragmentation of political structure is bad in itself. But if it is accompanied by the evils of criminalisation of politics, corruption, casteism, ethnic fundamentalism and regional parochialism and also by the current national ethos of superficiality, softness and selfishness, break-down may not be far away. Danger signals are clearly there for all to see. The new Government of Dr. Manmohan Singh at the Centre, has as many as half a dozen Ministers who are charged with serious criminal offences. The compulsions of divisive political structure prevent the Prime Minister to get rid of 'dead albatrosses' around his neck. Clearly, the conditions are not congenial for the requirements of good governance.

The fundamental reality, in fact, is that the environment for a strong and stable government with an orientation towards nation-building no longer exists and the origin of this environment lies in the predilections of the people to go by narrow loyalties of caste, creed, ethnicity, etc. and their inability to understand the techniques which their leaders employ to exploit these loyalties. Unfortunately, no one in the nation is attending to the origin of the problem of fragmentation of the political structure and consequent proliferation of the political parties and the danger that it is posing to national unity and stability of the Central Government.

The People, their Chosen Heads of Political Executive and their Levels of Responsibility

With reduced investment of the government in the public sector and with the expected private investment not materialising to any significant degree, the overall power scenario in the country looks more bleak today than it was at the time the reform-process was initiated. About 50 per cent of the households are without electricity. If the present level of investments and pace of implementation continue, Bihar would require 700 years and Bengal 50 years to get fully electrified. In the urban areas, including metropolitan

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cities, the long power-cuts have become a normal feature of daily life.

The State Electricity Boards have accumulated huge liabilities in the form of losses running into 26,000 crores, which is equivalent to about 1.5 per cent of the GDP. Practically, all the State Electricity Boards are on the verge of bankruptcy. Transmission and distribution losses remain high – about 50 per cent as compared to China's about 10 per cent. Theft causes commercial loss of about Rs.20,000 crores annually. The billing efficiency remains as low as 55 per cent and collection efficiency is still lower. As much as Rs.41,000 crores are due from State authorities to the Central Government undertakings. Non-availability of their dues to these undertakings have seriously undermined their efficiency.

Unfortunately, despite the above desperate[5] conditions, political leaders occupying high position have been resorting to populist measures. Immediately after the elections, Dr. Y.S. Rajasekher Reddy, Chief Minister of Andhra Pradesh, to fulfill his election time promises, announced supply of free electricity to the farmers. He was followed by the Chief Minister of Tamil Nadu, Dr. Jayalalitha. Maharashtra's Chief Minister has also made similar announcement. These decisions are against the resolution passed unanimously at the Chief Ministers' conference, held earlier, that no such concessions of free electricity would be given. How unsound and financially reckless these decisions are, can be seen from the example of Maharashtra. This State has already a debt of Rs.93,000 crore and is facing power shortage to the extent of 2200 megawatts. The new concession will cost the State another 6000 crores. Clearly, winning of elections is becoming an end in itself. With this level of responsibility, displayed by top political executive authority, talk about good governance is little more than wishful thinking.

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[5]To provide electricity to all by 2012, additional capacity of 100,000 MW, involving an investment of about 900,000 crores, would have to be created. Instead of attending to this colossal problem and carrying out reforms, as envisaged in the Electricity Act, 2003, power sector is being made a political tool and subjected to populist manipulation in the electoral processes. Virtually every political party is asking for concessions, unmindful of disastrous consequences to the economy.

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Decision Makers and Their Disregard of Constitutional Morality

The Governor of a State holds high constitutional office. Public interest demands that the dignity and prestige of this office should not in any way be undermined. The Sarkaria Commission[6] had rightly listed the following three facets of the governor's role:

a) as the constitutional head of the State operating normally under a system of Parliamentary democracy;

b) as a vital link between the Union Government and the State Government; and

c) as an agent of the Union Government in a few specific areas during normal times and in a number of areas during abnormal situations

Prior to the Sarkaria Commission, the Study Team constituted by the Administrative Reforms Commission[7] had observed:

> The office of the Governor is not meant to be an ornamental sinecure. The Governor's character, calibre and experience must be of an order that enable him to discharge with skill and detachment his dual responsibility towards the Union and the State of which he is the constitutional head. This duality is perhaps its most important and certainly its most unusual feature... It is important that he should discharge his functions judiciously, impartially and efficiently.

The intention of the founding fathers about the role of the Governor was clearly spelt out by Krishnamachari when he said in the Constituent Assembly:

[6]Sarkaria Commission was set up on June 9, 1983, by the Central Government to examine and review the arrangements between the Union and the States in all spheres and recommend such changes as may be appropriate. The Commission submitted its report on October 27, 1987.

[7]The team was set up in 1967.

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I would at once disclaim all ideas that we in this House want the future Governor who is to be nominated by the President to be in any sense an agent of the Central government. I would like that point to be made very clear; because such an idea finds no place in the scheme of Governor we envisage for the future.

Unfortunately, what was envisaged by the makers of the Constitution and elaborated subsequently by the independent Commission and Study Team has been negated by the mechanism of appointment of unsuitable persons and summary removal on extraneous considerations. Today, no constitutional office is so insecure as that of a governor. It is only he who can be transferred or fired at the whims of the Union Government. His tenure has been reduced to that of a work charge employee, if not a daily wager.

Prominent leaders who later joined hands in 1977 under the banner of Janata Party, used to criticise Indira Gandhi for misusing the office of the Governor. But when the Janata Party came to power, it appointed Governors on partisan considerations. The National Front government of V.P. Singh, which came to power at the end of 1989, outdid all previous Governments. It changed the Governors en masse. It made a mockery of the term 'five years' mentioned in the Constitution itself. The very fact that the 'pleasure of the President' was withdrawn in almost all the cases simultaneously showed that it was done on political considerations and not on considerations of individual merit.

With assumption of power at the centre in 1998, the government of National Democratic Alliance secured resignations of a number of Governors – Krishna Pal Singh of Gujarat, Romesh Bhandari of Uttar Pradesh, T. R. Satish Chandra of Goa, A.P. Mukherjee of Mizoram and also of Lt. Governor of Delhi, Tajinder Khanna. The simultaneous dismissal of the four Governors of the States of Uttar Pradesh, Gujarat, Goa and Haryana by the Government of the United Progressive Alliance on July 2, 2004, has dealt another grievous blow to the dignity, prestige and public esteem of the

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office of the Governor, notwithstanding the justification that the Union Government has advanced for its action. The issue has once again shown that the constitutional morality and maturity are as much important as the constitutional provisions, and that in the absence of the former the country has been moving fast towards a norm-less democracy and soul-less governance.

The case also shows what little respect is given by the country's top political executives to the recommendations or observations made by the high-level independent commissions set up at sizeable public expense. As far back as October 1984, the Sarkaria Commission had lamented: "Expediency has sometimes been given precedence over wisdom and short-term advantages over long-term benefits. Narrow personal or parochial interests have been given priority over larger national interests. One unwise action has provoked an equally unwise reaction and triggered off a whole chain of adversary relationships."

Mindscape of the Constitutional Authorities: Ignoring the Hard Crust of Problems

In our urban areas, particularly metropolitan cities, over the years, strong groups of grabbers of public lands have emerged. They, in connivance with unhealthy political elements, occupy sizeable chunks[8] of public lands illegally and set up, usually with the aid of 'slum lords' what are called *'jhuggi-jhompri'* colonies. These colonies have a large number of residential units and quite a few commercial and industrial ones.

All the three – the squatters, the 'slum-lords' and the political elements – combine to constitute a mutually self-serving network. The squatters get free occupation of land, free use of municipal services like water and access to free electricity by way of illegal tapping from street-lighting system. The 'slum-lords' derive huge pecuniary benefits by way of renting out a portion of land. The

[8]For details of such chunks and the phenomenon of *'jhuggi-jhompris'* see Chapter-VIII on Urban Governance.

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political elements, besides listing slum-lords as their free political workers and securing finances from shops and factories, create huge blocks of 'bonded' voters which significantly improve their chances of winning elections, be they of a local body or State Legislature or Parliament. On the other hand, the responsible political elements in public life who oppose such pernicious activities, including blatant violations of laws and merciless ravages of the cities, not only get the 'block hostility' of the 'created voters' and threats from the slum-lords and their musclemen, but also run the additional risk of being dubbed as anti-poor in general.

Clearly, the three actors – the squatters, the slum-lords and the political elements – form a 'coalition of illegalities' in which they reinforce one another's vested interests. The subordinate local officials of the police and civic bodies are also roped in by way of 'bhatta'.[9] Thus a network of corruption also comes into being. Ironically, such 'coalitions' of illegalities and such networks of corruption are virtually recognised by the Election Commission, which has otherwise been amending rules after rules and issuing instructions after instructions to ensure purity and fairness of the means employed by the candidates seeking elections and political parties sponsoring them. Why should it have not debarred from participating in the election process all those persons who commit gross violations of several laws, rely on corrupt practices and employ unfair and impure means? *Strangely, if there is an individual act of illegality or corrupt practice, the Election Commission takes action. But it chooses to look the other way if there are mass violations and mass corrupt practices which knock out the very basis of purity and fairness.*

I may elaborate my propostion by referring to a specific case. Shortly before the elections to the fourteenth Lok Sabha, I brought to the personal notice of three Election Commissioners the case of huge squatting on the Yamuna River Front which had occurred with the active connivance of political elements who had created

[9] 'Bhatta' in this context means a pre-determined fixed amount paid regularly as bribe.

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50,000 'bonded voters' on the lines and with the purpose indicated above. In support of my facts, I showed five set of photographs to the Election Commission. I also sent the following notes to the three Commissioners:

> Through this brief note, I intend to invite the attention of the Election Commission to the phenomenon of induced squatting which has been brought into being with the evil design of creating a citadel of bonded voters.
>
> The foundations of this citadel rest upon the deeply dug trenches of corruption and malpractices, and the army of the bonded voters that is housed therein, is made a shareholder of illegal gains that flow from the said citadel which is also served by a politically supported land and building mafia in which functionaries of the Government and Local Organisations, particularly at the junior level, are made co-conspirators – some by their own corrupt instincts, some by way of temptations and some are made to look the other way through brow-beating and other pressure tactics.
>
> This phenomenon of induced squatting violates with impunity a host of our civil and criminal laws and strangulates almost all our constitutional, environmental, cultural and civic values. In many cases, it destroys our sacred heritage and uglifies our historic monuments and sets in motion evil forces which add tremendously to the corruption in the machinery of governance.
>
> The question that the Election Commission need to consider is how can a phenomenon which is based upon violation of so many laws and strangulation of so many of our positive values find a place in a process which claims to be fair, free and pure?
>
> The Commission is attempting to build a fair and just system and frowns upon – rightly so – even on minor infringement of law or norms on the part of a candidate or a political party.

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> But how is it that the discerning eye of the Commission is not able to perceive the heavily polluted river of corruption and malpractices that flows underneath the surface and poisons the very roots of the system? Can a healthy harvest grow out of such poisonous roots, particularly when the polluted river goes on accumulating more and more muck with the passage of time?
>
> For eliminating these poisonous roots and for ensuring a truly fair elections, urgent and effective action has to be taken by the Election Commission.

Nothing came out of my efforts. Neither was any reply sent to my note nor the validity of my facts and arguments contested by any of the three Election Commissioners during my meetings with them. *The reason for all this was not that the Election Commission was not aware that the squatting was a legal offence, civil as well as criminal; not because it did not understand that large scale corruption and malpractices were involved in the case; not because it did know that there was no difference between inducing the voter by cash and inducing him in kind; but because, like other key decision makers, it had no inner urge to look into the troublesome reality and take hard decisions to exterminate electoral evils from their roots. The Commission's outlook was determined not by its constitutional position but by the general national ethos of contenting itself by dealing with softer crusts of the problem, and leaving the hard crusts unattended.*

This specific case had as another side as well. The Division Bench of the Delhi High Court had, on March 3, 2003, passed an order directing the authorities concerned to remove the squatters within two months, that is, by May 3, 2003. This order read, *inter alia*, as under:

> What is required to be done in the present situation in this never ending drama of illegal encroachment in this capital city of our Republic? River Yamuna which is a major source of water has been polluted like never before. Yamuna Bed and both the sides of the river have been encroached by

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unscrupulous persons with the connivance of the authorities. Yamuna Bed as well as its embankment has to be cleared from such encroachments. Rivers are perennial source of life and throughout the civilized world, rivers, its water and its surroundings have not only been preserved, beautified but special efforts have been made to see that the river flow is free from pollution and environmental degradation... The Yamuna Bed and its embankment have been unauthorisedly and illegally encroached by construction of pucca houses, jhuggies etc.... In view of the encroachment and construction of jhuggies/pucca structure in the Yamuna Bed and its embankment with no drainage facility, sewage water and other filth is discharged in Yamuna water. The citizens of Delhi are silent spectators to this state of affairs.

...We, therefore, direct all the authorities concerned, i.e., Delhi Development Authority, Municipal Corporation of Delhi, Public Works Department, Delhi Jal Board as well as the Central Government to forthwith remove all the unauthorized structures, jhuggis, places of worship and or/any other structure which are unauthorisedly put up in Yamuna Bed and its embankment, within two months from today.

Unfortunately, the High Court, too, did not ensure that the orders were implemented. Either the vested interests proved too strong for the agencies of the Central and Delhi Governments or the High Court was no exception to national infirmity of not tackling the hard crust of the problems and, if tackled, to lose the steam half-way.

An equally pernicious and wide-spread phenomenon, similar to that of unauthorised occupation of public lands, is the illegal construction[10] of additional space in private properties. Herein, the land and building mafia, the landlord of the property, the buyer of the additional space, the tenant who rents the said space and the

[10]For details, see chapter VIII, on Urban Governance.

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political elements who support the illegal activities, all constitute a self-serving network.

The constituents of this network develop a strong vested interest, as every one of them gains, in one way or the other, from it. These gains act as a cementing force among the constituents of the network and they all vote in favour of the political elements who support all such activities. More often than not, the political elements themselves are no other than the sponsors of the land and building mafias. As in the case of unauthorised occupation of public lands, the staff of the local body is also roped in by way of bribes or influence of political elements or threats of the mafia. Huge multi-storeyed buildings come up, where one or two storeys could have been constructed. Several crores are, thus, made illegally at the expense of environment and civic amenities.

The Election Commission takes no notice of the above network, though the entire phenomenon is saturated with illegalities and malpractices. *Apart from destroying the purity and fairness of the election procedures, it provides huge ill-gotten money and other resources to the political elements and thus not only puts the honest political elements at a disadvantage but also strengthens further the forces of corruption in the society.* Much bewailing about the spread of corruption goes on in the media and at other public fora, but hardly any one realises that corruption cannot be eliminated or curtailed as long as it yields rich pecuniary, political and electoral dividends without any risk of being brought to book by any one, not even by those who hold constitutionally protected offices. Since the power of the corrupt goes on increasing in the electoral system, honest

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[11]The Central Vigilance Commission, too, has a mindset which is practically the same as that of the Election commission. It takes action against acts of individual corruption but does not look into cases wherein corruption on massive scale occurs through a coalition of corrupt elements in politics, bureaucracy and business. For example, in Delhi, this coalition has been openly operating in Municipal Corporation, for years together, and has been instrumental in facilitating huge illegal constructions, including misuse of residential properties as commercial ones and conversion of plot-housing into group-housing. And yet the Central Vigilance Commission has not even once inquired into this large network of corruption and tried to demolish it.

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persons continue to go out of it. How, in these circumstances, can clean public life[11] and good governance come about?

I have given above five recent examples which reveal the direction in which the wind of India's destiny is blowing. I have shown what stuff the people, the voters, the leaders, the political parties, the holders of the constitutional offices and other decision makers in key positions are made of; what respect is being extended to healthy norms of democracy and constitutional morality; how the hard crusts of the problems are being ignored; how the rotten eggs of past degeneration are being retained in our baggage; and how the very future of the nation is being mortgaged to secure petty personal and political ends.

In chapters VI, VII and VIII, I have already discussed in depth the manner in which other institutions of the State are being run and what is the attitude of those who have in their hands the steering wheels of these institutions. The analysis done in those chapters need not be repeated here but it may be recapitulated by the reader to fully grasp the point that I am emphasising. Particular attention may be given to the material under the sub-heads listed in the footnote.[12]

In the aforesaid three chapters, I have dealt with internal factors and forces that work as impediments to the growth of efficient, effective, just and honest governance in India. In chapter IX titled "Contemporary World Order and Governance-Capacity of Developing Countries", I have invited attention to the external factors and forces that impinge upon our machinery of governance. I have brought out how a highly unfair and uneven playing field has been created at the global level, and how governments and the people of developing countries like India have been put permanently

[12]These sub-heads, chapter-wise, are: Chapter VI – Quality of Leadership, Impact of Unskilled Democracy, Three Periods – Pre-Emergency, Emergency and Post-Emergency, Inability to Change and Absence of an Inspired Ideology; Chapter VII – Leadership, Ground Level Reality, Uncaring Mind, Terrorism and Subversion, Capacity to Implement, Two Illustrations, Functioning of Parliament and Judiciary, Stultifying Pattern, Corruption; Chapter VIII – Vicious Circle, No Urban Vision No Implementation Will, Stony Eyes and Closed Minds, A Journey During the Reform Period, Failure and its Underlying Causes.

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on the wrong side; how under the cover of globalisation a kind of economic and cultural Darwinism is being practised; and how the massive imbalances of the present times, coupled with the system which continues to deepen these imbalances, is inherently incompatible with the requirements of solid, sound, fair, enlightened, dynamic and progressive governance.

AGENDA FOR ACTION

Clearly, a realistic and practical approach demands that, while formulating reforms for the future and working out a strategy for implementing them, both the above referred sets of factors and forces, that is, internal as well as external, are kept in view. This is what I have attempted to do in the remaining portion of this chapter and the two chapters that follow. An 'Agenda for Action' has been drawn up, its items clearly spelt out and their rationale explained and the ways and means of implementing them in a coherent and coordinated manner indicated.

For facility of comprehension, I have divided my proposals in two parts – one dealing with their broad features and the other with the institutional arrangements for their implementation. As an illustration, a case study has also been given.

The *first item* on the agenda for action should be: *how to improve our basic timber, that is, "we – the people"*; in other words, how to improve ourselves, our ethos, our calibre, our character, our commitment and how to acquire cleaner hands, purer hearts and nobler aspirations to move the levers of power-structure in the State and society and take them to higher and higher orbits till they reach a stage where the 'long suppression' of the Indian soul is done away with and the soul recovers its freedom and freshness as well as its moorings and motivation. Then alone would every constituent of the State and society be able to make its best contribution for the reconstruction of the national edifice. Governance, as I have indicated in the preface, does not mean merely running the machinery of governments and corporate bodies, but a system in which the entire public talent, public wealth

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and public power are marshalled to create maximum public welfare and progress.

2. The *second item* of the 'agenda for action' should be *full recognition of the power of the mind* which India once possessed and also its remarkable purity and originality.

In the preceding Chapter, I have given sets of evidence about the existence of the aforesaid power and its attributes. This evidence is clearly formidable. And yet, in the present day India, it has been practically ignored, little realising that without healthy foundational planks of our culturally rich past, we cannot rebuild the crumbled edifice of the nation, much less fashion out a great future for it. Not that the past was without blemish or did not have poisonous seeds in its granary; but our ingenuity lies in picking up the healthy and productive seeds and throwing out, with a firm hand, the diseased and dead ones. The productive capacity of the healthy seeds is immense. They could produce the right motivation and infuse the nation with the inspirational energy that it so badly needs.

A dignified pride in the loftiness of ancient thoughts and their products would provide the leadership with an unwavering confidence in evolving an original approach to tackle its manifold challenges, both in the material and moral realms. It would also help in re-igniting the dead flames of the creative past, in developing new capabilities at various layers of the society, and in effectuating a balanced and humane synthesis of ancient nobility and current advances in scientific knowledge and technical skills.

To what extent confidence and upsurge could be generated in an otherwise somnambulant and directionless society was shown by Swami Vivekananda, in the short span of his life, by continuously reminding people about the unique heritage of India and its unique strength.

The Union and State Governments and other public and private agencies need to explore ways and means of arousing dignified pride in the masses about the greatness that India once possessed and use that pride in creating an inspirational wave of enthusiasm

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in the people. Only then originalities would be born, fresh vision would be entertained, strong will for implementation would be acquired and honesty of purpose and purity of conduct would become the guiding star for the conduct of national affairs.

The *third item* of the 'agenda for action' should be *to pick up the noble threads of the renaissance* ushered in by a galaxy of social and cultural reformers of the late nineteenth century and early twentieth century, inject further strength in them and weave them into a sound and sustained pattern of service-oriented work in the spirit of 'practical Vedanta'. Regrettably, post-1947 India has not produced the like of Swami Vivekananda. There has been a plethora of gurus, swamis and interpreters of different schools of Hindu religion and philosophy. But they have been either fake or restrictive in their teachings. None of them has been able to create a true wave of moral and ethical awakening in the country. Had they any real impact, the present-day Indian society would not have been seething with corruption and malpractices; nor would it have fallen an easy prey to the new culture of cupidity and consumerism.

The *fourth item* of the 'agenda for action' should be *to undertake simultaneous reform of all the major components of the system* and subject all the problems connected therewith to an integrated look. It is not a sound approach to have reforms in an isolated segment or two. All the segments – economic, social, religious, cultural and organisational – have to be taken up together, and also by connecting one with the other. The economic reforms, which are being attempted at present, without attending to the other ills that plague the nation, would not yield the results intended. On the other hand, they would add to social tensions and expose the nation to a greater risk of instability. Like the organs of a healthy human body, each and every component of a system has to grow simultaneously and stay in unison. Since the post-1947 leadership of India has largely ignored this aspect, whatever little advance was made on the economic front was accompanied by losses on the social and moral front. Clearly, India is socially and morally more delinquent today than she was in 1947 and her leadership is far

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less inclined to draw inspiration from the integral outlook of her ancient seers and sages than the leadership that held the stage in the decade following August 1947.

The significance of undertaking simultaneous reforms in all segments of the State and the society brings me to the *fifth item* of the 'agenda for action' : *the need to wage a relentless fight against the evils that seeped deep into the social and religious systems of India* during the long period of her decline and degeneration and placed these systems largely in the hands of ignorant, selfish, greedy and obscurantist elements. These elements have remained untackled by the post-1947 leadership. Consequently, the negative forces have continued and kept the masses in an irrational and superstitious frame of mind. This has caused all round damage. The face of true India has been hidden from the nation. Her superb schools of thought and their superb products, her ennobling spirits, her insightful grasp of Cosmic Reality, her belief in the universe being permeated with Divinity and all the creatures existing thereon being inseparable part of that Divinity, have hardly been brought out and presented to the people in a forceful manner. Instead, the common folks have been allowed to be exposed to the dirty and decomposed garbage of the diseased times.

Take the case of the Hindu temples which are visited all over the country by millions of people. Most of these temples are under the control of highly uninspiring individuals who, besides causing awful managementmess, exploit the ignorance of pilgrims, play upon their fears, extract money from them and resort to pointless and incomprehensible rituals, generating more irrational faiths and obscurantist minds. Thus, negative forces in the society are being strengthened daily and the social and religious environment, already degraded, is being injected with stronger doses of poison and pollution.

It is unfortunate that the Indian State and its post-1947 leadership has shown a marked timidity to eliminate the highly pernicious social forces which operate under the cover of religion and which are wholly incompatible with the atmosphere that needs to be created for giving

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birth to another renaissance whose strong cultural current could wash away the old dirt and dross engulfing the soul of India, revitalise it and make it a potent force to propel the machinery of governance to nobler levels of commitment, compassion, rectitude, balance and harmony.

Superficial adherence to the notion of secularism and not interfering with what are called religious practices, which are actually practices born out of degeneration, are extracting a heavy price from India. Not only is her social and economic advancement being impeded, but her true cultural image is also being eroded. Let me illustrate my proposition by giving a brief case-history[13] of Vaishno Devi Shrine with which I had a special tryst.

Illustration : Vaishno Devi Shrine

My first visit to the Mata Vaishno Devi Shrine, undertaken in July 1985, when I was Governor, Jammu and Kashmir, was sudden and virtually without notice to any one. This Shrine is a natural cave-temple which is located in Trikuta hills. It can be reached through the base town of Katra. It is at a distance of about 45 kilometres from Jammu. From Katra, the 'Yatri' has to proceed to Ban-Ganga and then climb up to Sanjichhat at 6200 feet, touching on the way such sacred landmarks as Charanpadika and Adi Kawari. The total distance which the Yatri has to cover is about 13 kilometres. The route is all-along rugged and rocky mountains and the journey quite exacting and arduous. Inside the cave, there are three 'self-born', 'self-revealed' 'Pindis' : 'Moortis', in the shape of lumps of stone, which symbolise the three Saktis – Maha Kali, the Goddess of creation, preservation, destruction and recreation;

[13]Like other highly venerated shrines of India, the Mata Vaishno Devi Shrine is an ancient one whose antiquity is pre-Mahabharathan. Lord Krishna is believed to have advised Arjuna to go up in the hills of 'Jambu' and seek the blessings of Vaishno Devi before taking up arms in the battlefield. 'Jambu' is identified with present-day Jammu. Arjuna, while worshipping Vaishno Devi, calls Her, the highest Yogin who is free from decrepitude and decay, who is the Mother of the Vedas and the Science of Vedanta and who is giver of Victory and personification of victory itself.

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Kali - Swaraswati and Laxmi -

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Maha-Saraswati, the Goddess of intellect, intelligence, learning and wisdom; and Maha-Laxmi, the Goddess of peace, progress, prosperity and wealth.

This trinity is worshipped as Vaishno Devi. It is a unique feature of the Vaishno Devi Shrine. There is no other Sakti shrine anywhere in the world, which symbolises all the attributes of feminine divinity – her power, her purity, her grace, and her capacity to destroy sin and protect virtue.

I had heard a number of sordid stories about the conditions prevailing on the route and at the Shrine. But what I saw[14] during the journey was far more despicable than I could imagine. The entire route was virtually tree-less and unbearably hot, full of pointed and curving stones and pebbles, punctuated frequently with treacherous pot-holes over which one could, without extra caution, stumble and hurt oneself badly. Stray dogs and cows suddenly appeared as if from nowhere, exposing the 'Yatris' to further risk of injury. The breathlessness caused by the ascent and the stuffy atmosphere was relieved by wafts of air only to bring in a nauseating stench of urine and excreta of both humans and cattle. All along the route, there was not a single public urinal or toilet, forcing men as well as women to use the limited space available in the corners. The pestering beggars, which included a large number of children, evoked both anger and pity. Most of the owners of ponies looked as sick and famished as the ponies themselves. The cruelties inflicted upon the animals were heart-rending.

At the main Shrine complex itself the conditions were equally appalling. Malpractices were galore, insanitation insufferable, and eating places dirty and surrounded by junk and garbage. The natural beauty around the Cave had been marred by hideous buildings put up without any design or sensitivity. The entire offerings and donations were taken without any accounts by those who claimed themselves to be the custodians of the Shrine. Might was right and

[14]For details, see Author's book: *In Service of Three Mothers*, particularly the Chapter titled: 'A Journey to Remember'.

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powerful groups backed by muscle men took away a large part of the income.

The agonising conditions left a deep impression upon my mind and I recorded a note, the main points[15] of which I reproduce below:

> If one were to see the moral and material degeneration of the present-day India, all that one has to do is to walk from Katra to the Mata Vaishno Devi Bhavan. The entire area looks like one 'grand abomination'. Here, despiritualisation of India seems to be total. The self-appointed guardians of 'gods' have poisoned the entire environment and established a tyranny of corruption and crookedness and caused a wasteland of superficiality and superstitions. Even the most denuded landscape would have a patch or two of green, but none was here.
>
> Pilgrimage is an important part of the Indian tradition. This tradition is so strong and pervasive that the whole of India could be viewed as a vast network of pilgrim centres which has served as a perennial source of power to the Indian mind and lighted and warmed its inner recesses and also provided much needed sustenance to the emotional and cultural bonds of the people from one end of the country to the other. From times immemorial, the Hindus have been sharing common aspirations, common outlook and common ways of realizing 'gods', both 'within' and 'without', by undertaking pilgrimage, 'yatra', to any one or more of the seven sacred rivers, seven sacred cities, twelve Siva temples, hallowed complexes of Mathura and Vrindavan and thousands of other holy places. Even today, quite a few of them look forward to seeking solace in as distant a sanctuary as Mount Kailas.
>
> Pilgrimage, in its true tradition, is undertaken to meet 'gods', have face to face communion with them, attain a deeper state

[15]For details, see author's book: *In Service of Three Mothers*, particularly Chapter titled: 'A Journey to Remember'.

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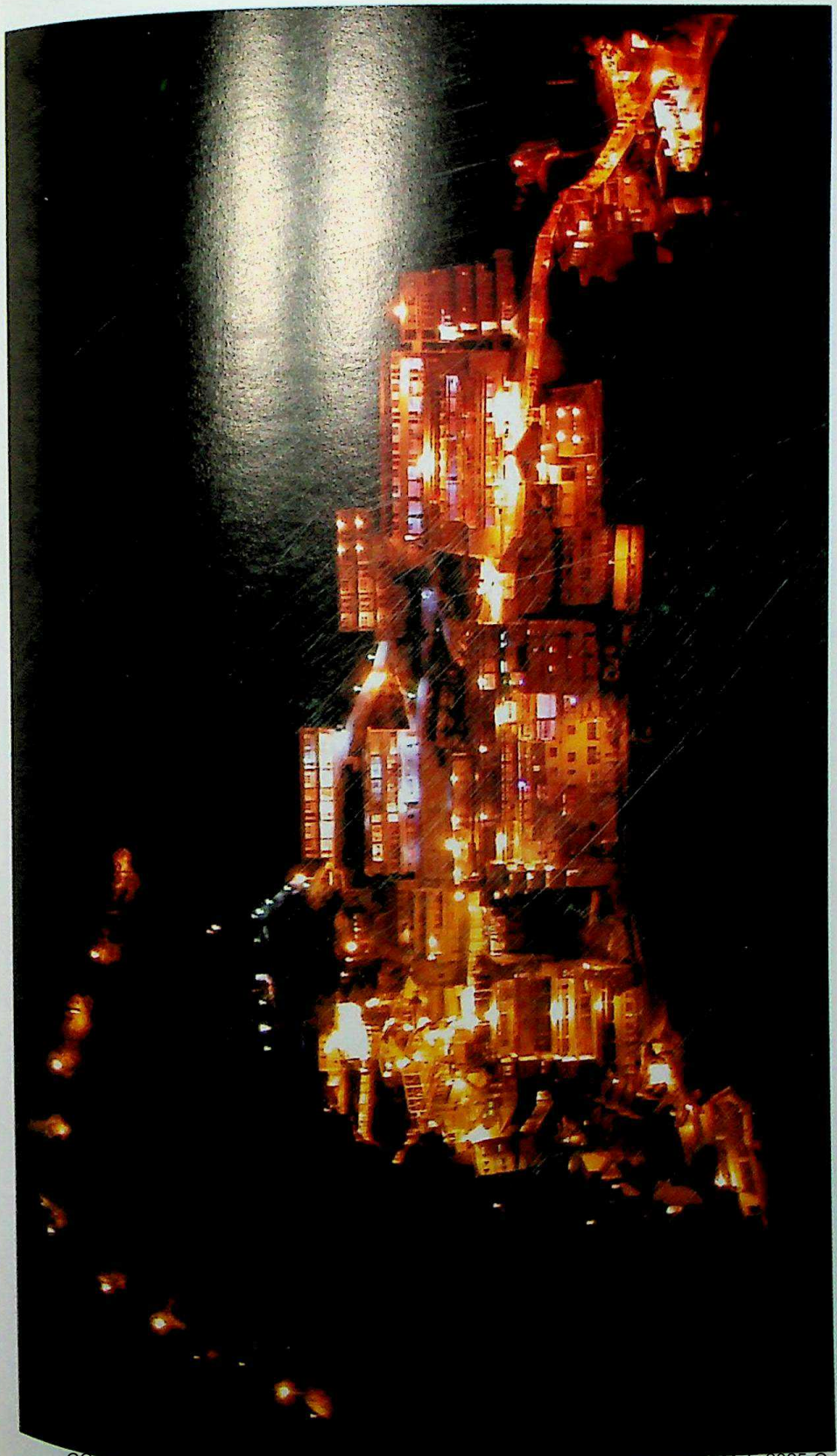

Vaishno Devi Shrine Complex at night (*pages* 334-344)

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Clean, safe and broad pathways to the Vaishno Devi Shrine (*pages* 334-344)

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A soul-lifting site for rest and reflection en route Vaishno Devi Shrine (*pages* 334-344)

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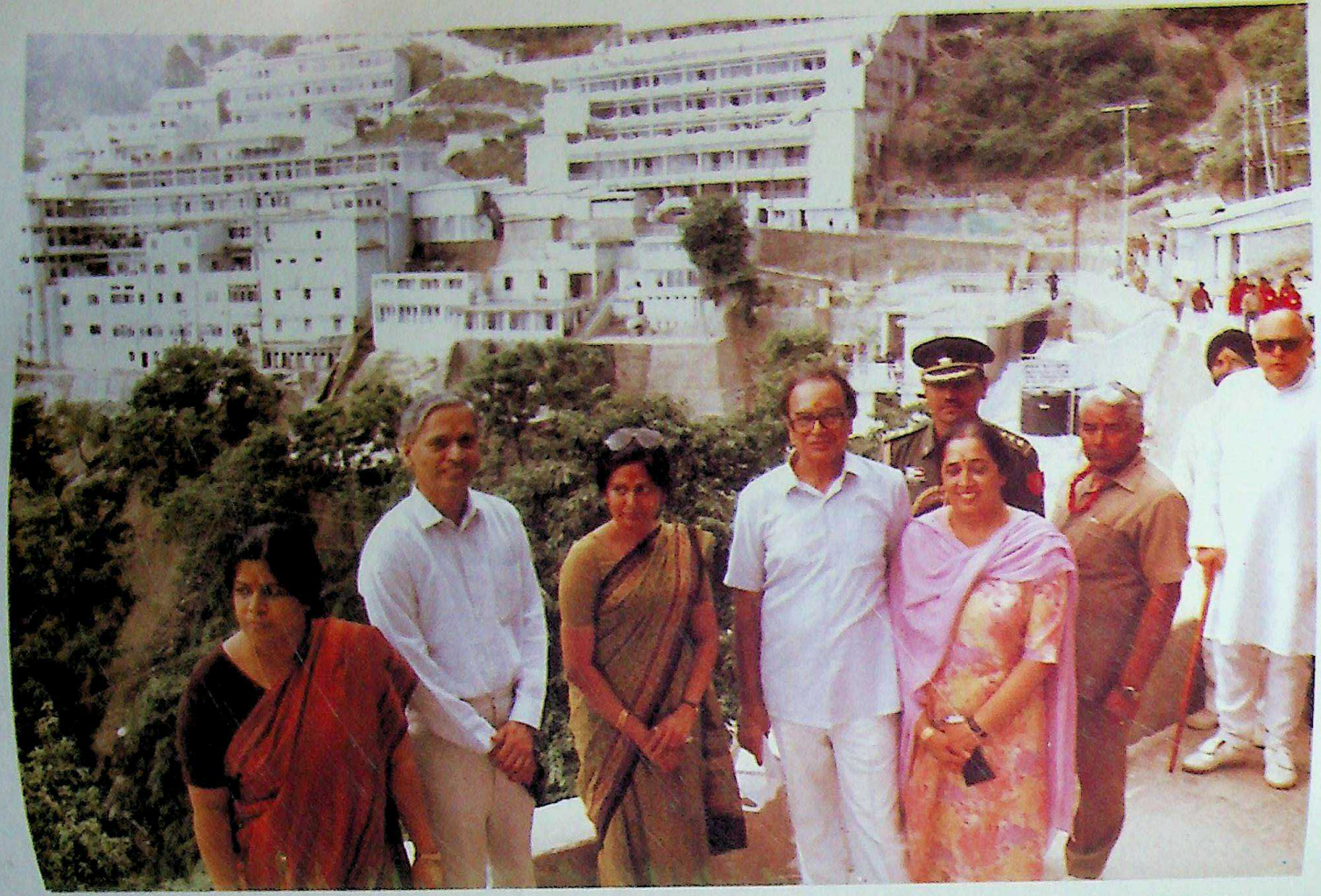

The Author and his wife Uma (to his left) with visitors to the Shrine. Dr. Farooq Abdullah is at the right hand corner.

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of spirituality and experience a higher vision of truth. In the ancient times, the pilgrim invariably encountered charming environment. The air was exhilarating, the forest thick and green and the streams full of crystal clear water. The spell that Nature caused on the pilgrim's mind brought in peace and created within him a new verve, a new rhythm and a new spirit. A sublime environment evoked a sublime vision. And a feeling of being 'upward and divine' swelled from within.

But what happened during my journey from Katra to the Mata Vaishno Devi Shrine was an encounter not with exhilarating air but foul stench, not with thick and green forests but a raped and ravaged landscape, not with crystal clear waters of 'Ban-Ganga' but a dreary, and mostly dry, bed of a dirty drain. Worse, it was being face to face, not with the spirits of the great souls and the great seekers of truth but with the machinations of the manipulators and corroded and closed minds who, though spiritually blind, carried spurious maps in their hands for guidance of the pilgrims. It was not meeting 'gods' in their heaven but gods enchained, strangled and suffocated by the limitless physical and moral degradation that prevailed around. It was a thoughtless and action-less India at its ugliest, where both body and soul had fallen asunder – an India which had been sucked of its fundamental values and in which the people had lost the capacity to be good and do good.

Allegations and counter-allegations were galore. Accountability was conspicuous by its absence. Every one passed on the buck to the other. The 'Dharmarth' blamed the 'Baridars' and the State Government. The 'Baridars', in turn, castigated the 'Dharmarth'. The State Government had its own alibis. Amidst the managerial chaos and confusion, several crores of offerings and donations were pocketed. Powerful caucuses and mafias came into being and entrenched themselves. Easy and unaccounted money induced unhealthy habits and a good

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portion of the ill-gotten money flowed into liquor, litigation and other evils. The family life in the areas around tended to become unstable and unhappy. Quite a few women were neglected by their husbands who, flushed with money siphoned off from the offerings at the Shrine, preferred to spend their time in merry-making in Jammu and other towns. One evil led to another. The men soon became moral wrecks and the women bundles of tensions. The fall-out of the family discords on the children could not be anything but adverse.

Sheer anarchy seemed to have been let loose in this complex. Both life and time here were wholly out of joint. The signals that the outrageous conditions transmitted were not those of a bleeding civilization whose wounds could be stitched but of one which had been stricken simultaneously with a number of near fatal diseases.

The above note which has the merit of fresh and first-hand impression should leave hardly anyone in doubt about the soundness of my proposition that the Indian State and its leadership had been making a grievous error of judgment by leaving culture or religion or our value-system alone; because what was being left alone was not real culture or religion or a value-system but all the dirt and dross, all the material and mental garbage, all the slush and stink of decay and decadence that passed under its name. The Indian State and its leadership ignored the stage of its historical development, as it stood in 1947, and virtually acted as if it was on the same level as some of the European States. It was forgotten that a strong intervention of the State by way of effectuating management reform of thousands of shrines in the country and the decadent social, religious and cultural forces that went with them was absolutely essential for building an overall clean environment which could contribute significantly to the growth of true and lasting system of honest, effective and humane governance.

The revolting conditions that I encountered on the route and at the Shrine gave rise to an almost volcanic urge in me to do

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something radical, something concrete to reform the management of the shrine and to improve its overall environment. But what could I do? I was merely a constitutional head, and that, too, of a State which had a separate Constitution by virtue of the special provision of Article 370[16] of the Indian Constitution. However, sometimes, it happens that what "Faith wills Fate Fulfils". Against all expectations, I was allowed by the President, which meant the Union Government, to promulgate Governor's Rule under section 92 of the State Constitution. Earlier, I had been pressing hard the Prime Minister, late Rajiv Gandhi, for this promulgation on the basis of irrefutable evidence which showed that subversive elements were making a rapid headway in the Valley; that the local Government was rudderless; and that the constitutional machinery of the State had broken down. But narrow political considerations caused a rejection of my recommendations, though repeatedly made. I had lost all hopes and given up when my recommendations were suddenly[17] accepted and Governor's Rule imposed.

Under the Governor's Rule, I was determined to show the nobler face of power. *I took it upon myself to demonstrate how effectively and honestly the machinery of governance could function, in a poor and developing country; how the vicious circle of backwardness and exploitative democracy could be snipped; how the influence of obscurantists could be warded off, how justice could be established as a new religion; and how a Karma-Yogi approach and Napoleonic*

[16]Ironically, it were the provisions of Article 370 and separate Constitution of the State that I used in enacting a law for carrying out the management reforms of the Mata Vaishno Devi Shrine despite the opposition from the Union Government. For detail, see author's book : *In Service of Three Matas*, chapter titled : A Time to Think, A Time to Resolve. For implication of Article 370, see author's book : *My Frozen Turbulence in Kashmir* – Chapter VI.

[17]Quite a few devotees of Mata Vaishno Devi believe that the sudden change in the attitude of the Union Government was caused by the Divine Will of the Mata who wanted me to become Her instrument for ridding the Shrine of mismanagement and malpractices. For detail, see author's book : *In the Service of Three Mothers*, particularly the Chapters titled : A Journey to Remember and A Time to Think; A Time to Resolve.

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precision, speed and leadership could, in a short time, cause radical improvements in economic, social and cultural life of a nation. Fortunately, I was successful in attaining my aim and objectives. The Governor's Rule became immensely popular,[18] both in the Kashmir Valley and Jammu region.

I turned to the affairs of the Mata Vaishno Devi Shrine only after establishing my credentials. I enacted a law under which an autonomous Board, with Governor as Chairman, was set up to take over the entire management of the Shrine and the complex around it. Had I done so before attaining reputation for earnestness and effectiveness, I would certainly not have been able to withstand the propaganda of the obscurantists and other vested interests.[19] They would have, under the smokescreen of religion, launched a virulent campaign against me and painted me as one out to curb religious freedom. They attempted but failed. The general public remained convinced about the sincerity of my purpose.

With the funds and donations, which were previously pocketed by the erstwhile 'custodians', flowing into accounts of the Board, massive development and improvement projects were taken up and executed with new work-ethics and work-culture that was service-oriented and imbued with a missionary zeal. My exhortations to all the officers and staff engaged on these projects was: "Let us ensure that a new bright sun rises behind the Holy Cave. Let the Mother give us new wisdom, new insight, new dynamism. Let us rise to the occasion and perform our service with reverence so that it becomes a worship of its own kind. Only then we would be able to do justice to the great task that we have undertaken, the great mission that could be a pace setter for others."[20]

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[18]For evidence in support of this claim, see Chapter IX of my book titled : *My Frozen Turbulence in Kashmir*, particularly the opinions expressed by eminent journalists such as Nikhil Chakravartty, V.N. Narayanan, A.N. Dhar and Mulkh Raj Saraf.

[19]I am giving these details here to show that for any major reform to succeed in India, what is needed is not only deep knowledge, clarity of purpose and determined will, but also sound strategy, Napoleonic precision, speed and a sense of timing.

[20]Experience of this project is that for injecting enthusiasm in officers and working force, ethical and cultural under-pinning could do wonders.

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The inspired and dynamic machinery of governance that I was able to set up resulted in spectacular pace of development and improvement. In a short time, rapid improvement was carried out with the Shrine funds. In a short time, the entire 13 km route was widened, made *pucca,* tiled and lighted with about 1000 sodium vapour lamps. More than ten lakh tiles were fixed, about 5,000 parapet walls constructed, about 2,000 metres of rails installed at dangerous points, 22 shelter-cum-cafeteria units were set up and all modern sanitary facilities, including thousands of flush latrines, vacuum cleaners, fogging machines and brooms were provided, besides thousands of blankets which were cleaned through automatic dry-cleaning plants. Scores of new rest houses and shops, kiosks were built. Sixty green spots with flower beds and shrubs were created in addition to massive plantation in the complex. Humanitarian services were rendered to the people residing in the neighbouring villages and small towns by opening dispensaries, schools and work-centres. Quite a few vestiges of history, which were scattered in the area, were brought back to life in the shape of memorials, such as to Baba Jitto and General Zorawar Singh.[21]

The pilgrims and other visitors were dazzled by the transformation. Practically, no one could be persuaded by the vested interest to oppose my measures on the ground that they amounted to interference with religion.[22] What, moreover, I was able to argue successfully in the public was that I was attempting to present the true face of India's culture, religion and tradition and my efforts were directed against the forces of degeneration and degradation which were keeping the populace in the dark womb of fear and superstitions.

[21] All these developments could serve as a valuable guide to understand what a creative, dynamic and inspired governance machinery could do.

[22] This falsifies the widespread general impression that reform of important religious places and sites would be opposed by the general public. What matters is the approach – how imaginative is the reformer, how sound is his strategy and what is his general standing in the eyes of the people.

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Consequently, the elements who opposed my action at the earlier stage soon became unpopular. Organisations like 'Dharmarth' who had filed writ petitions in the High Court were forced by the pressure of public opinion to withdraw their cases. The other vested interests – 'Baridars' – found themselves isolated and finally lost their cases both in the High Court and Supreme Court which upheld the constitutional validity of the Mata Vaishno Devi Shrine Act.

The opposition which was apprehended from the State legislature, as the Governor's law had to be ratified by it within two years of the termination of the Governor's Rule, also vanished. The Act promulgated by me was ratified, after two years, as the MLAs and MLCs realised that any opposition to the measure would invite public wrath.

Now the Vaishno Devi Shrine has become, in its own way, a practical manifestation of the reformative spirit, a symbol of religious, social and cultural advancement, and also a model of creativity and dynamism in administration. The conditions appeal to our simple folks and also to those who are in search of the life-spiritual which could harmonise the perceptions of the inner eye with the insight and outlook provided by modern science. There is nothing to make the visit jarring or nauseating as it was before. There are no beggars or lepers, no self-appointed custodians of the Shrine-complex to cause harassment, no exploitation of any kind, no disease arising out of insanitary conditions and unhygienic food, no unclean water or stinking latrines or stray cattle or dogs, and no negative flow of the resources of the Shrine into social evils. On the other hand, so far 277 crores have become available for development and for general upgradation of environment and quality of life in the region. The number of the pilgrims has increased from about 5 lakh to about 50 lakh per annum. Hundreds of restaurants, hotels and transport and travel establishments have come into being, giving a big boost to the State economy. A fine university, named the Mata Vaishno Devi University, with global

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academic standards, has recently been set up near Katra.[23] The entire funds have been made available by the Shrine Board. The University would provide education and carry out research in such important areas as Management, Sciences, Information Technology, Bio-Technology and Indian Philosophy and Culture.

To cap it all, true culture and heritage has been made to come alive. When an earnest Yatri now goes to the Shrine, he comes across stimulating environment all along the route which puts him in a reverential frame of mind, lifts his spirits and help him in igniting the tiny spark of divinity within him. As he enters the Holy Cave, he sees Vaishno Devi, not in the physical form of three 'Pindis' or three 'Moortis' but as a manifestation of the Great Sakti, the Eternal Force, "who is all that has been, is and will be". One would perceive Vaishno Devi as a principle and not a person, as a Cosmic Mother and not an individual. This principle, this concept of the Cosmic force, is one of the most scientific products of the Indian Mind.[24] *It has the effect of synthesising science and spirituality and making the people both spiritual and scientific in outlook.*

The message, which the above case-study of Mata Vaishno Devi Shrine transmits is loud and clear. The obscurantist and degenerative forces which continue to stultify both the individual and the society could and should be tackled, and such a tackling would unleash healthy and positive forces in many directions.

All in all, the complex of the Vaishno Devi Shrine has been transformed from 'one grand abomination' to a many-a-splendoured jewel of social, cultural and spiritual regeneration of present-day India. It has also become an elegant monument of creative and constructive governance and shown the way for using huge donations and offerings made to the shrines for the noble purpose of service to God through service to man.

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[23]The University was inaugurated on August 19, 2004, by the President of India, Dr. A.P.J. Abdul Kalam.

[24]For details, see chapter XI, titled: 'Rekindling the Power of the Indian Mind', section with heading Cosmic Web, its Organic Entity and Cosmic Force.

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There are hundreds of major shrines like Vaishno Devi scattered all over India. If all of them are subjected to similar reforms, one cannot imagine the tremendous social, cultural and environmental benefits that would accrue to the nation. What is still more important, it would unleash positive forces, latent in the country, which would build an overall atmosphere for all round reforms of society and the State. It would be nothing short of a social and cultural revolution and give to the common man a new way of looking at his religion and capturing its true spiritual strength.

Reservoir of Inspiration

A nation that is coming out of long years of darkness and degeneration and wanting to illuminate and regenerate herself fast, must have some flame to keep her warm and some ideal or ideology to keep her people charged. Therefore, *the sixth item* of the 'agenda for action' should be *a provision of a source of inspiration* which can animate every constituent of the governance machinery to put its best foot forward.

I have given above the case history of reform of Vaishno Devi Shrine and indicated how honestly and enthusiastically the entire development machinery worked to produce remarkable results in a short time. One of the important reasons for this phenomenon was that every official engaged on the job felt that, apart from his duty, he was rendering a noble service, namely, service to Mata Vaishno Devi. If the Indian State, in spirit of her ancient tradition, had been deified, treated as a sacred entity and revered and served as Mother India, the nation would not have been in such a sorry plight as it finds itself today. Far from being corrupt or indolent, the functionaries of the State would have felt a prick of conscience, a guilty sense of betraying the Mother, and this would have kept most of them on the path of rectitude and at a higher level of motivation.

No backward or developing country, which has been under colonial rule or otherwise in a state of decay for so long as India, can shake off its burdensome legacies and break the vicious circle

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of economic poverty and cultural degeneration, unless its present-day intellectual, cultural, social, political, bureaucratic elites are willing to put their heads and hearts together, develop a sense of mission and create a reservoir of inspiration from which they themselves and the people at large could draw an elixir of sustained motivation. *No great task, particularly at a turning point of history, can be performed without great animation.*

After August 1947, the Indian bureaucracy should have, at least during the transitional period of a decade or two, played not merely the role of a competent professional civil service; it should have also looked at the new state with new reverence and acquired a higher degree of zeal and spirit of service. It should have been understood that the social and economic ailments of India were chronic, a product of over a thousand years of decay and these could be rooted out only by a sense of mission for what could be called 'Service to the Wounded Mother'. The service to India should have been equated with the service to the Mother, and the bureaucracy of the time should have seen the Mother as 'a transcendent entity'. In the service of India, a typical civil servant should have assumed the role of benevolent social guardian, a saintly being, an angel of new creation who had the opportunity to perform an historic task and leave his foot-prints on the sands of time to serve as signposts for their successors to guide them to the right path. Had the Indian bureaucracy, which constituted the bulk of the elites of the State and society and which had otherwise competence and capacity, played a missionary role, the Indian governance machinery would have been one of the cleanest and not one of the most corrupt in the world, as it has turned out to be today.

Unfortunately, the post-1947 India has been functioning virtually in an inspirational vacuum, and its consequences have been disastrous. What is, therefore, needed besides looking at the State as a Great Mother, is a constitutionally backed system of ethics or a sort of constitutional religion, which could serve the nation as a source of inspiration and keep her machinery of governance in the right orbit. Such a constitutional religion or system of ethics could be fashioned out of the interpretation drawn by Swami Vivekananda

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and Gandhi of religion being a way of life which is oriented towards service to the man.

To make my point clear in this respect, I would invite attention first to what transpired between Mahatma Gandhi and Dr. S. Radhakrishnan on the subject of religion and then what Swami Vivekananda had been saying on it.

S. Radhakrishnan, in connection with his study of religion, posed three questions to Gandhi. These questions were: "What is your religion? How are you led to it? What is its bearing on social life?"

Gandhi replied to the first question thus: "My religion is Hinduism which, for me, is the religion of humanity and includes the best of all religions known to me."

In response to the second question, Gandhi said: "I take it that the present tense in this question has been purposely used, instead of the past. I am led to my religion through truth and non-violence. I often describe my religion as religion of truth. Of late, instead of saying God is Truth, I have been saying, Truth is God... Denial of Truth we have not known... We are all sparks of Truth. The sum total of these sparks is indescribable, as yet unknown Truth, which is God, I am daily led nearer to it by constant prayer."

To the third question, Gandhi replied: "The bearing of this religion on social life is, or has to be, seen in one's daily social contact. To be true to such religion, one has to lose oneself in continuous and continuing service of all in life. Realisation of Truth is impossible without a complete merging of oneself in and identification with this limitless ocean of life. Hence, for me there is no escape from social service: there is no happiness on earth beyond or apart from it. Social service here must be taken to include every department of life. In this scheme, there is nothing low, nothing high. For all is one, though we seem to be many."

Gandhi went on to elaborate: "The deeper I study Hinduism, the stronger becomes the belief in me that Hinduism is as broad as the universe... Something within me tells me that, for all the deep veneration I show to several religions, I am all the more a Hindu, nonetheless for it."

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Vivekananda's views are on the same wavelength as Ghandhi's. For him '*Jiva* is Shiva' – service to man is service to God. The cornerstone of his ideal of 'practical Vedanta' is : if one serves the sick, the poor or any other person in distress, one offers prayers to God in the highest form. In his own inimitable style, he has said : "May I be born again and again, and suffer thousand miseries, so that I may worship the only God I know that exists, the only God I believe in, the sum total of all souls, and above all, my God the wicked, my God the miserable, my God the poor of all races, of all species."

What objections could be taken to the above views of Gandhi and Vivekananda? In what way are they irreconcilable with the ideal of secularism? Why could they not be accommodated in our Constitution in the form of an ethical system and made one the Constitutional goals for the attainment of which the State, society and individual should specifically strive. Both Gandhi and Vivekananda base religion on the highest principles of ethics and elevate it to a moral force which could provide an impulse, an animation, for service to the poor, the sick and the needy, and have the effect of creating a compassionate man, "a gentleness of the mature of mind and a pacifying and unifying love for all living things."

Practical Vedanta, if its propagation has a backing of the State, would certainly help in orienting the mind of the individual towards service, compassion, non-acquisitiveness and realisation that he is a part of the Greater Self and he should not do anything which has the effect of injuring a part of his own self. In other words, Practical Vedanta would help in creating a purer and nobler heart which, working in unison with other purer and nobler hearts, would give rise to a force which would push society and the State towards purer and nobler goals. It has been rightly observed: "If there is no purity, fairness and justice in your heart, these qualities will not be in your home; and if they are not in your home, they will not be in your Society; and if they are not in your society, they will not be in your State." All said and done, it is basically an individual who constitutes the building block of a nation.

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Further, the principles on which Practical Vedanta rests are in perfect harmony with the constitutional goals of liberty, fraternity, equality and justice. In fact, they would provide spiritual underpinning to these goals. As regards the goal of equality, for example, if the same divinity permeates the personality of one person as well as that of another, they cannot but be equal. Likewise, it would be unthinkable for divinity in one person to starve the same divinity in another person or do injustice to it in any other manner.

Practical Vedanta also accords with the scientific spirit of our times. It promotes rationality, generates self-confidence and frowns upon fatalism: "The old religion said that he was an atheist who does not believe in God. The new religion says that an atheist is the one who does not believe in himself. It is the coward and the fool who says this is his fate. But it is the strong man who stands up and says, I will make my own fate."[25]

Practical Vedanta, it may be noted, is not in any way antithetical to the ideal of secularism as incorporated in the Indian Constitution. Though associated with a particular religion, Practical Vedanta is nothing but spiritual secularism as well as spiritual pluralism. In chapter XI, I have already invited attention to the speech of Swami Vivekananda, delivered to the Parliament of Religions, Chicago, where he made it clear that Vedantists consider all religions to be true. In view of this and Vedantic belief of One in All and All in One, the incorporation of Practical Vedanta in our constitution should not cause any misgivings in the mind of followers of other religion. For example, the Islamic belief in One Almighty God, Allah, does not differ from the Vedantic belief in one Cosmic Divine Force, permeating all animate and inanimate items of existence. In this connection, E.B. Havell, a great scholar of art and architecture, has significantly observed:

> Muhammadanism is one of the principal elements which are combined in the Indian synthesis. The fierce struggle which

[25]These observations are from Swami Vivekananda.

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took place before it was fused together with Hinduism was born of racial antipathies and material interest rather than of intellectual or spiritual differences. Ages before the time of Muhammad Hinduism had settled for itself by the peaceful arguments of philosophy all the problems which Islam set out to determine by the sword. The missionaries of Ashoka were the first to prepare in Western Asia the soil in which Islam grew. Its iconoclastic madness was only the religious zeal of a primitive, warlike race inspired by the principles of Hinayana Buddhism as they were re-stated by the prophet of Mecca. The monotheistic idea which Islam propounded was as old as the Vedas, and even Buddhism itself had accepted it long before the Hegira." E. W. Havell.

Rabindranath Tagore has repeatedly drawn our attention to the ideal which the illuminated consciousness of our sages has bequeathed us : Brahma is Truth; Brahma is Wisdom; Brahma is Infinite; and peace is in Brahma; Goodness is in Brahma; and Unity of all beings is in Brahma. And this ideal of unity of all beings, of peace, goodness and wisdom finds expression in a simple but telling prayer to the Absolute: "He who is one, who is above all distinctions, who dispenses the inherent needs of men of all colours, who comprehends all things from their beginning to the end, let Him unite us to one another with wisdom, which is the wisdom of goodness." Such an ideal or such a prayer can by no stretch of imagination be considered as an antithetical to any of our constitutional objectives. On the other hand, its inclusion in the Constitution would provide substance and strength to these objectives. Clearly, it would inculcate a belief in the fundamental unity – unity in the diversity of man, unity in the diversity of nature, unity in diversity of religion, and also unity of individual self with the universal self and of every single soul with what Ralph Waldo Emerson called over-soul. It would promote gentleness of spirit, nobility of temper and search for peace and balance in life. An overall culture of contentment and compassion would be generated in the society, which would have the effect of weakening,

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if not killing, the individual's disposition to be acquisitive and corrupt.

The ideal, the attributes of which I have briefly delineated above, is an insightful understanding of life, nature and cosmic spirit which pervades the entire universe; it is not a religious precept. Its incorporation in the Indian Constitution, either in the form of an ethical code or a sort of constitutional religion, would do no violence to the concept of secularism. Instead, it would prop up true secularism, true morality and true commitment to betterment of human conditions not only in India but also in the rest of the world and one would begin to see, as William Blake saw, divine body in the face of every man, or feel, as Walt Whitman did in his Song of the Open Road:

> The East and West are mine,
> And the North and South are mine;
> I am larger, better than I thought
> In the faces of men and women
> I see God, and
> *In my own face in the glass.*[26]

In view of what I have elaborated above, India should be constitutionally declared as a Vedantist State. If some sections have reservations about the expression 'Vedantist', it could be replaced by the word 'Ethical'.

When we call Mahatma Gandhi the 'Father of the Nation' and when we treat Vivekananda and Rabindranath Tagore as our cultural icons, why do we not accept the core of their philosophy and outlook as guiding stars for the nation? If great minds like Arnold Toynbee, Ralph Waldo Emerson and Walt Whitman recognise universal appeal of Vedanta, if its values accord with those required for maintaining social, economic and ecological balance of the world and if its concepts are wholly reconcilable with the findings of modern physics, why do we fight shy of making them our constitutional goals and ensure that the

[26] Here, the impact of Indian Vedantic thought on Walt Whitman can be clearly seen.

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people do not remain without an inspiration or moorings or a moral compass? The present Indian State leaves the people generally cold and they do not feel any compunction of conscience in resorting to corruption and other malpractices.

I have little doubt that if India is declared as an ethical or Vedantist[27] *state, the imagination of the people would be captured and Vedantic values would get absorbed in the national psyche, thereby elevating the common man to a higher level of character and conduct and concern for the future of the country. It would also help the people in acquainting themselves with the power and profundity of the mind of ancient India, the products of which have been described and discussed in chapter XI. A wave of dignified pride would instil new confidence in the nation and push it towards new paths of its own instead of following the ones charted out by others.*

[27]We have known many categories of State such as Night Watchman State, Police State, Laissez-Faire State, Social Service State, Welfare State, Socialist State, Nazi State, Totalitarian State, Neo-Liberal State, etc. Why could we not accept another category – Vedantist or Ethical State which would have far more noble objectives than others? Incidentally, the values of the Vedantist State are similar to those that are needed for a fair global governance.

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CHAPTER XIII

INSTITUTIONAL SET-UP – NEW DESIGN

BLUEPRINT FOR REFORMS (Continued)

Each new opinion, at its starting, is precisely in a minority of one.

CARLYLE

Even the longest journey begins with the first step.

A CHINESE PROVERB

Body is the temple of the soul to which the mind provides an altar. For a re-kindled mind and a re-awakened soul to express themselves in a most creative and constructive way, a healthy and well-shaped body is needed. Having discussed the wherewithal of a rekindled mind in chapter XI and an awakened soul in chapter XII, I would indicate in this chapter how such a vigorous and well-shaped body should be brought about. In other words, what should be the design of the institutional set-up for the reformed machinery of governance and with what new nuts and bolts it should be equipped.

Trinity

A well-shaped body, a rekindled mind and a re-awakened soul would constitute the 'Trinity'[1] *that I am seeking to provide for the new system of governance in India – an India which is capable of showing a new way of life and creating a new kind of civilization. I fail to understand why India should become a second or third rate appendage of a cartel of a few rich and powerful countries who, notwithstanding their glorious achievements in some areas, have become excessively materialistic and acquisitive and are bound to cause a highly imbalanced world and*

[1] In popular Hindu mythology, *the Trinity* refers to the three main Gods – Brahma, Vishnu and Mahesh – who hold the Universe.

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make life disorderly and disoriented for most people inhabiting our little but lovely planet with finite resources.

I. DESIGN

With regard to the design of the institutional structure, the following lines of Alexander Pope may be appropriately quoted:

> For forms of government let fools contest
> Whatever is best administered is best.

These lines have undoubtedly, a message. But forms of governance have great importance. The noted scholar of political science, Dr. H. Finer, responded to the above couplet light-heartedly but significantly:

> But what is best must free men still decide
> Lest leaders gull them and officials ride.

Sound forms of governance are needed because they alone can ensure that political leaders do not 'gull' freedom and bureaucrats do not menace people.

Though men with rekindled minds and awakened souls would generally use power for healthy governance, they can sometimes go astray and get intoxicated with power. It is, therefore, necessary to build an institutional structure that does not lend itself to misuse. Our Constitution, fortunately, provides effective safeguards against such a misuse occurring. But the problems in India are of a special nature. They are so deep-rooted that a strong and flexible leadership, unhindered by legal rigidities, manipulative politics and social backwardness, is needed to eliminate them. The numerous vices[2] with which the present pattern of governance is beset have rendered it incapable of providing that need.

The chronic maladies which India contracted during long years of its degeneration and which are still persisting and even assuming

[2]These *vices* have been brought out in earlier chapters of this book, particularly chapters VI, VII, VIII, XI and XII. For each *vice*, a concrete remedial measure has been suggested in this chapter. While studying the remedy, it may be useful to glance through the relevant sections/chapters again in which the *vice* concerned has been discussed.

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more sinister forms can be tackled only by an inspired leadership, having extensive powers which sometimes may look excessive. The ingenuity lies in evolving an arrangement that does not obstruct the initial but formidable task of rooting out centuries-old ailments and bringing the entire system to a healthy state from where it could move forward on its own strength.

The governance machinery of Singapore and the highly motivated leadership of Lee Kuan Yew,[3] enjoying extensive powers, in the initial period, to lift the state and society from conditions of chaos and cupidity to a higher level of rectitude and discipline and then allowing them to move forward on their own strength, provides a good example of how a powerful and flexible but well-meaning structure could be fashioned out without losing sight of the ultimate objective of establishing just, fair and service-oriented governance by just, fair and service-oriented means.

Leadership: Synthesis of Power, Nobility and Responsibility

Here, I may invite attention to Lord Acton's oft-quoted dictum: "Power tends to corrupt and absolute power tends to corrupt absolutely". This dictum, though forceful and weighty, is not always valid. Much depends upon the circumstances in which power is exercised and the end for the attainment of which it is used. Even Lord Acton uses the expression 'tends to corrupt'; he does not say that power invariably corrupts.

If there are other forces, such as nobility, piety and non-acquisitiveness, that are simultaneously at work on the mind of the holder of the power, his capacity to do good increases manifold.[4]

[3]Lee Kuan Yew became the Prime Minister of Singapore in 1959 after winning a democratic election. Through his brand of disciplined and responsible democracy and his firm leadership, he saw to it that Singapore leapt from the Third World to the First and became the ninth richest country in the world by 1996. He held power for about three decades. In support of his disciplined approach, he often said: "We had to train adult dogs who even today urinate in the lifts. What do you do? I cannot wait 300 years. ... Within this democratic system, every one has the right to compete, but the competition must be for the purpose of working the system, not of destroying it".

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His motivation is stimulated and he is pushed to a higher trajectory not only of creativity and compassion but also of concrete and constructive actions. Was not British Prime Minister Gladstone right when he said, "Statesmanship is the noblest way to serve mankind and a minister with power can do ten times the good than he could when out of office"?

Clearly, power is a mere instrument. In the hands of a sensitive and skilful surgeon, it is the scalpel that can remove the diseased portions from the organs of the body and restore them to health and smooth functioning; in the hands of a crude and callous butcher, it merely serves as a sharp knife to cut and kill.

The challenge is to create, at various levels of the machinery of governance, strong leadership in which elements of power, nobility and responsibility are synthesised in such a manner that the problems emanating from the type of democracy that we have at present are effectively overcome, and the vicious circle caused by the poor value – systems prevalent in society and poor potency of the governance machinery is broken and governance machinery gains strength, moves on its momentum and its functioning is no longer impeded seriously by the negative forces operating in political and social arenas.

II. NEW UNITS OF MANAGEMENT AND DEVELOPMENT

The first and foremost measure that needs to be taken with regard to the new institutional set-up is to build a structure of governance which provides for creation of distinct units of management and development that could be placed, for a specific period, say four years, under the charge of a noble and motivated person, who could be selected from the private or public sector or academic institutions, by an independent statutory Board or Commission, and vested

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'Not long ago, in the State of Jammu and Kashmir, I was able to bring home this phenomenon during the Governor's Rule of 1986. In this connection, chapter XI, titled: 'Approach, Attack, and Counter-Attack' of my book, *My Frozen Turbulence in Kashmir*, particularly the measures taken and appreciation they won from eminent and independent journalists of national repute, may be consulted.

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with full powers to run the unit and achieve, within the framework of overall government policy and its budget provision, targets fixed for that period. He would be allowed total flexibility and freedom in executive action. He could be wholly entrepreneurial in his approach. If such a person is found, after the expiry of the period, to have under-performed or otherwise mis-governed the unit, his services could be ended; if his performance is good, he could be given another four years' term; and in the event of his performance being outstanding or path-breaking, he could be suitably rewarded and even nationally honoured.

I may illustrate my proposition by giving an example of the Department of Archaeology of the Central Government. Its head, Director-General of Archaeology, should be appointed for a period of four years, after selection, through an independent Board or Commission, from a wide range of candidates who may belong to any central or state government cadre or private company or management institute or university or non-official body. The appointee would be vested with full powers and given full control over his staff. He could run the department on sound principles of management and introduce whatever innovations he may consider appropriate. The only obligations that he would have to discharge would be to function within the budget provisions and in accordance with a policy that would be outlined for his guidance by the government beforehand. At the end of the four years' term, his performance would be thoroughly evaluated, and it would be assessed whether the targets for realisation have actually been realised or not. Bad performance would result in termination, good in extension and outstanding in reward.

Merits

The advantages of the proposed arrangements would be manifold. First, it would curb the tendency towards smugness, which is generally generated by the excessive security of a fixed cadre system. Each and every member of the cadre would have to make efforts continuously to update his knowledge and improve his skills. He

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would be conscious of the fact that he can no longer rest on his laurels and claim any key post on the basis of being a member of any particular service. He would know that he has to compete with persons from the private sector or academic institutions. Such persons, too, would develop an urge to improve their qualifications so as to enable them to outshine cadre-officers and secure key assignments and improve their prospects in life.

Secondly, it would enable the government to secure the services of the best available talent in the country for the job. The incumbent would have an opportunity to develop a deep association with a particular unit, feel proud of it, acquire expertise and even act virtually like Plato's Philosopher King, bringing into play all his special knowledge and skill. He could become a model of executional excellence all over the country.

Thirdly, with full power being enjoyed by him and with the facility of flexibility being available, he cannot, subsequently advance, in the event of failure, a plea that he was handicapped by political or ministerial interference or hemmed in by rigidities of the usual bureaucratic patterns. The area of responsibility would be clearly defined and the bane of non-accountability substantially reduced.

Fourthly, since extensive powers would be available for a specified period and their exercise would be subject to review after the expiry of that period and would also be carried out in accordance with the provisions of the Constitution and laws of the country, there is little likelihood of these powers being misused. The arrangement, in fact, strikes a perfect balance between the requirements of power and those of accountability and ensures that a surgeon always acts as a surgeon and does not become a butcher.

Fifthly, the national set-up as a whole would become more energetic, more enterprising, more creative and more constructive and thus help in development of responsible and focused leadership at crucial levels of governance.

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Extension

All key departments and field agencies of the central and state governments, all their public sector undertakings, all urban development authorities and local bodies etc. need to be converted into the type of management and development units, the broad outlines and the merits of which I have indicated above; at least, their basic principles should be incorporated in the pattern and procedures of these and other such organisations. If this is done, I have little doubt that our public sector undertakings would become competitive, our field agencies would be able to get rid of the menace of frequent transfers and acquire dynamism and result-orientation, and our urban development authorities and local bodies would be able to cast aside the nefarious intrusion of building mafias in their rank and file and equip themselves to meet the dangers posed by the gathering storm[5] *on the horizons of our cities.*

Field Orientation

These units would produce still better results if they develop field-orientation and their officers tour extensively in the areas of their jurisdiction and see conditions for themselves at the ground-level. No officer belonging to any urban management and development unit, for example, can acquire deep insight into the problems of slums unless he visits, without notice, '*jhuggi-jhompri*' clusters at early dawn or late in the evening and inspects carefully the sites of so-called community facilities. Likewise, officers of the unit pertaining to archaeology can comprehend the scale and complexity of our problems of preservation of our ancient heritage only if they regularly visit monuments falling under their charge.

I have come across quite a few officers dealing for months with urban issues, without undertaking a thorough inspection of any slum-settlement even once. I have also seen Directors-General of Archaeology who hardly moved out of their headquarters into the crumbling recesses of our old monuments. This happens as officers

[5]For understanding the dimensions of this 'storm', see chapter VIII, titled: 'Urban Governance.'

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have neither long-term interest nor any worthwhile tradition of field orientation. During the heyday of the British administration in India, as indicated in chapter III, nothing that happened in his district – even a sparrow's flutter – could escape the notice of the Collector, primarily because of his commitment to touring, camping at sites and inspection of work-diaries of subordinates.

Another Positive By-Product

Another positive by-product of this item of reform is that it would open the way to secure substantial reduction in the size of secretariats of the Central and State governments. With full powers and responsibility entrusted to the units of management and development at the field level, there would be no need to have huge secretariats which have even otherwise become stolid and specialists in raising objections after objections, ignoring the central issues, and bogging themselves down by matters of peripheral and procedural concern. *Fully equipped, fully empowered and fully accountable field agencies and lean, sprightly and focused secretariats are the two strong and stable planks that I propose for*[6] *the new institutional set-up*[7] *of governance in India.*

III. SPECIAL INSTITUTIONAL ARRANGEMENT

In chapter XII, I have spelt out the broad parameters of six concrete items of the 'agenda for action'. These items primarily concern the 'mind' and 'soul' of our machinery of governance, that is, its spirit, its animation, its propelling force. For their sound and speedy

[6]The underlying rationale for setting up new units of management and development proposed in this section is similar to that of 'Next Step' or 'Agencification' programme introduced in the U.K. by the Margaret Thatcher government and carried forward by successive governments including Tony Blair's New Labour government (see chapter X). It also incorporates quite a few positive features of the New Public Management movement.

[7]The State Governments could be persuaded to enforce these reforms by linking them with the Planning Commission's grants and other financial assistance from the Centre.

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implementation, special institutional arrangements, outlined below, would have to be made.

The main features of the proposed institutional arrangements would be setting up of a separate Ministry to be named as *Ministry of Ethics and Social and Cultural Reforms*. It would be a small Ministry, headed by the Prime Minister or Deputy Prime Minister. Except in respect of matters pertaining to ethics, it would not undertake reforms directly. It would only ensure that necessary items of reforms are undertaken by the Ministry concerned and are subsequently implemented by that Ministry on the lines and in the manner indicated by the Union Cabinet to which all issues relating to reforms would be put up. In other words, the new Ministry's role would be largely one of coordination and of overseeing the process of implementation. It would also ensure that, if one item of reform concerning a Ministry is connected with another item of reform concerning another Ministry, both the Ministries should carry out their respective tasks simultaneously. For example, if two items of reforms, one pertaining to education and other to health are inter-connected, the new Ministry would see that both the Ministries implement their programmes and projects more or less at the same time.

The Ministry of Reforms would be advised by a quasi-judicial commission to be called *Reforms Commission*. It would have as members eminent and independent persons who have nothing to do with any political party. The Ministry should seek advice of the Commission on all matters of reforms which are likely to cause public controversy on the ground that government is interfering with an aspect of religion or social custom or otherwise attempting to secure political gain for the ruling party or parties. For example, if management reforms of any temple is contemplated on the lines of reform of the Vaishno Devi Shrine and if opposition from any vested interest or obscurantist element is apprehended, the Ministry would seek advice of the Reforms Commission before undertaking the reforms. Likewise, if any reform in the arena of education is contemplated to ensure that students get acquainted with an aspect

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pertaining to the power of the Indian mind and that aspect is likely to cause a public controversy, the Ministry of Reforms should, before initiating any action, consult the Reforms Commission.

The Ministry of Reforms, it needs to be underlined, would restrict itself to ethical issues and those items of reforms which help in rekindling the power of the Indian mind and reawakening the Indian soul. The purely administrative or managerial reforms pertaining to the body or the structure of the administrative machinery would be left to the existing Department of Administrative Reforms. For achieving its objectives with regard to 'mind' and 'soul' issues, the Ministry of Reforms could enlist the support of non-official bodies like the Ramakrishna Mission whose main mission is to spiritualise society and to inject the strands of a 'Vendantist state' into the mindscape of the people. The Ministry could, on the advice of the Reforms Commission, make a list of non-official bodies which, in the opinion of the Commission, have the requisite motivation and wherewithal to disseminate the message of reforms amongst the people, and provide suitable financial and logistic support to them.

Here, it is not necessary to give detail of the administrative structure either of the Ministry of Reforms or of the Reforms Commission; suffice to say, they would be small organisations functioning as initiators and implementors of reforms, having separate cells for different categories of reforms, say educational, social, cultural, ethical etc. *These institutional arrangements, though constituting a small beginning, would, I trust, set us on the right path to discover the true destiny of India, free her long suppressed soul and restore to her the lost power, profundity and nobility of her mind. Our goal is, undoubtedly, distant. But we must remember that even the longest journey begins with a first step.*

IV. CIVIL SERVICE REFORMS

Apart from above institutional arrangements and fundamental reform in respect of new units of management and development, which would have positive and profound impact on the working

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of governance machinery in general, reforms in other arenas particularly those of Civil Services, Judiciary and Corporate Governance, would have to be simultaneously formulated and executed.

Gallery of Failed Reforms

Typical of the present-day trends and attitudes and the general ambiance of superficiality, the Indian bureaucratic elite, with their imitative frame of mind, started talking of administrative reforms soon after New Public Management movement took hold in United Kingdom and other developed countries, as described in detail in Chapter X, titled : *Experience of Other Countries*. The terminology in vogue in the United Kingdom, United States, Australia, New Zealand and Canada began to go round. In conferences, seminars and symposiums, what was heard *ad nauseum* were the expressions: reinventing and downsizing government, openness in administration, result-orientation, citizens' charter etc. Government circulars followed in abundance. The Chief Ministers met and passed resolutions. Declarations were recorded and publicised. Plan documents included administrative reforms as one of the foundational planks of the plan strategy. *But in the absence of an original and in-depth approach, earnestness of purpose and inner commitment, all this has turned out to be nothing but an exercise of wings fluttering without flight, another addition to the gallery of failed reforms. Let me give you a few examples.*

In 1997, as a part of the reform-agenda, a number of Information and Facilitation Counters were set up with a great deal of fanfare, in the public-dealing ministries and offices. But what happened on the ground? A study in the year 2000 showed that all these Information and Facilitation Counters were virtually non-functional. Of the twenty-six[8] Information and Facilitation Counters surveyed, only one was found to be working properly. The Heavy Industry's Information and Facilitation Counter had

[8]Hindustan Times : September 27, 2000.

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not been functioning for over a year. Since 1998, only 25 persons had visited this Counter. And the Surface Transport Information and Facilitation Counter did not even have a chair for the visitors. The Company Affairs Information and Facilitation Counter had no information or brochures to offer. The Sugar and Edible Oils' Information and Facilitation Counter had remained unmanned. The Telecommunications Information and Facilitation Counter was manned by a telephone operator who was not at all conversant with the public redressal system.

The Delhi Development Authority adopted a 'Citizens' Charter', laying down a time frame for redressal of grievances. On paper, it looked perfect. But when I, on assumption of office of Urban Development Minister in June 1999 and after noting that practically everything in the Delhi Development Authority was in a state of suspended animation, started a system of 'public hearings', the facts that came to my notice were both astounding and agonizing. Mountains of grievances had piled up. Unauthorised constructions, illegal encroachments and corrupt practices were being resorted to with impunity. The Citizens' Charter was followed only in breach. Rarely, a reply was sent. In the rarest of rare cases, wherein a reply was given, it was only to indicate that the file of the case was not traceable or that the 'competent authority' – whatever it meant – had considered the case and rejected it. For rejection, reason was seldom indicated. Practically, no senior executive officer ever took the trouble of visiting the sites and assessing the truth at the spot.

The third example that may be given pertains to downsizing of the Government which has been repeated too often in the corridors of power and the media. While in the United Kingdom, New Zealand, Australia, and Canada, as the data given in chapter X shows, the 'downsizing' of the government machinery was effectuated, in India, it was merely reduced to a slogan.[9] In quite a

[9]Even now the strength of the government employees is about 70 per cent of the total number of employees in the organised sector.

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few areas, on the contrary, 'up-sizing' of the Government, especially at the higher echelons of bureaucracy, took place. In the small National Capital Territory of Delhi, there are far more super-time scale I.A.S. officers than needed. In a single department, where there was only one Secretary, there are, in addition, now Principal Secretaries, Special Secretaries and Joint Secretaries.

Replete with Generalities

In November 1996, a conference of Chief Secretaries of States and Union Territories was held on Effective and Responsive Administration. An Agenda on the subject was also prepared by the Ministry of Personnel, Public Grievances and Pension. This Agenda admitted:

> The public administration and the civil service are passing through difficult times in terms of eroded credibility and effectiveness, growing public perception of an unholy nexus between certain elements among politicians and civil servants and criminals, and increasing criticism of low level of honesty, transparency and accessibility to the political and bureaucratic elements in charge of administration.

A number of other conferences, seminars and symposia were held, discussing issues in the familiar strain. But little has happened in practice.

The Tenth Plan document (2002-2007) has itself observed :

> The macro-economic management of the economy of the Centre and in the States, in general, and that of public expenditure, in particular, highlights the deficiencies in governance practices resulting from the inertia in the relevant institutions...

This document also invites attention to the mid-term appraisal of the Ninth Plan which points out that if all the finances of Central and State governments, which are poured in for rural development, amounting to at least Rs.400 billion annually, are assigned to 50 million poor families, it would provide each family with Rs.8000

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per annum and enable it to buy 3 kg of foodgrains per day and move above the poverty-line. But rural poverty continues to prevail on a large scale, thereby indicating that inefficient, ineffective and corrupt governance consumes most of the funds in the process of implementation of schemes meant for upliftment of the rural poor. Concern for reforms notwithstanding, weak and poorly motivated machinery of implementation causes leakage of funds to the extent ranging from 20 to 70 per cent.

Unfortunately, so far as issues of improvement in the working of public services are concerned, the 8th, 9th and 10th Five-Year Plans, drawn during the post-reform period of 1991 are as much replete with generalities and well-intentioned exhortations as the previous Five-Year Plans. The Tenth Plan, for example, talks repeatedly of multi-faceted strategy for reforms "based upon decentralisation, Civil Services renewal, open and responsive Government, tackling corruption and strengthening rule of law and fiscal and environmental sustainability". But it does not spell out a precise and concrete programme of doing so. Nor does it explain why similar recommendations and exhortations made in the previous plans have not got translated in practice.

In fact, all along, the Indian political and bureaucratic elites have not shown deep and sustained interest in administrative reforms. In chapter VI, in the portion titled : *Inability to Change*, I have shown how as many as 600 commissions and committees were set up and how nothing of major consequence emerged out of them and how, on the other hand, the vices of proliferation and bureaucratic imperialism increased and the ethos of negativity and superficiality became more pronounced.

The recent reports of the new committees like the *Surinder Nath Committee*[10] *(2003)* and the *P.C. Hota Committee*[10] *(2004)* are not

[10]The Surinder Nath Committee has made a number of recommendations with regard to performance appraisal, promotion and lateral movement. These recommendations are mainly procedural. The Hota Committee, too, covers familiar ground, such as role of All-India Services, prevalence of corruption in public services, Ombudsman and Code of ethics, e-governance etc.

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likely to have a different outcome. For example, the P.C. Hota Committee has listed 42 'public perceptions' about the current functioning of the Civil Services and made a number of useful and valid observations. But these observations as well as 'perceptions' on which they are made are well-known. Our newspapers often make similar observations and report about similar perceptions. The real issue is of finding solutions but the solutions recommended are rather simplistic and are not likely to yield the result sought for.

In support of my contention, I would take up here for analysis recommendations of the Hota Committee with regard to two issues – (i) the issue of frequent transfer of officers; and (ii) the issue of combating corruption in civil services.

Transfers

With regard to the first issue, the Committee has, *inter alia*, said:

> It has been noticed that with every change in government there is usually a reshuffling of officers, especially in key postings in districts, with the result that the average tenure in certain states for District Magistrates/Collectors and for Superintendents of Police has now come to less than a year only...The officials of the State Government – particularly officials of the All-India Services serving in connection with affairs of the state – are quite demoralized as they are transferred frequently at the whims and caprice of local politicians and other vested interests, who successfully prevail upon the Chief Minister/Minister to order such transfers.

To put a stop to this pernicious practice, the Committee has suggested that Civil Services Boards, with the Chief Secretary as Chairperson, should be set up by all State governments to regulate transfer of officers. But would it change the prevailing state of affairs? The Committee itself notes that wherever Civil Services Boards were established, following the views expressed at the Chief Ministers' Conference, 1997, these Boards had merely formalised

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the wishes of the Chief Ministers. Clearly, the problem lies with the Chief Ministers and the political and other considerations which are uppermost in their minds. Larger considerations regarding the health of the governance machinery constitute but a little part of their calculations. Even if a Civil Service Act is passed and Civil Services Boards are given a statutory status, as the Committee has recommended, the conditions would not materially change and the will of Chief Ministers would prevail. The disease is not administrative; it is political. No administrative measures can cure the infection that is located in the diseased womb of our faction and caste-ridden politics.

Removal

In respect of the second issue, the Hota Committee has said:

> We recommend that Article 311 of the Constitution be amended to provide that if there are allegations against a civil servant/person holding a civil post of accepting illegal gratification or of having assets disproportionate to his known sources of income and the President or the Governor is satisfied that the civil servant/person holding a civil post be removed from service forthwith in the public interest, the President or the Governor may pass an order removing the civil servant/person holding the civil post from service and give him an opportunity in a post-decisional hearing to defend himself.

This recommendation, if accepted, may add to corruption instead of combating it. An honest civil servant who does not toe the line of dishonest elements in politics would come under increased threat of being summarily removed on trumped up charges and this would tend to make him more subservient to his political masters, as he would not have either the resources or the stamina to face 'post-decisional hearing'. On the other hand, a corrupt officer would become a party to the wrongdoings of politicians and escape summary removal. If in any rare case, removal of a really corrupt officer takes place, he would have resources and political connections

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to successfully deal with a 'post-decisional hearing' and come back to service, getting pay and other benefits even for the period for which he has done no work.

Age of Entry

Another reform proposal that has been recently floated[11] pertains to the age of entry to the All-India and Central Civil Services. It envisages selection on the basis of competitive examination which would be open to candidates who have completed education up to Higher Secondary standard and fall within the age group of 17-19 years. The successful candidates would be put through a three years' course after which they would get a graduate degree and allotted to different services. Thereafter, the recruits would undergo a service-specific academic-cum-training course for two years.

This reform proposal is largely based upon the French pattern of Ecole National d'Administration, "the school which serves several purposes, incident to the formation of cultured and practical minded civil servants". The proposal has the advantage of picking up the best candidates at a young age and mould their attitudes and outlook in the right direction. But its negative aspects are more pronounced. It would be difficult to assess true talent and potential of a teenager. Nor would it be otherwise sound to herd together young recruits from different regions and different strata of society, when they have yet to discover themselves and their country. The French government is far more centralised and the French society is far more homogenous than ours, and what suits France is not likely to suit India. Moreover, since the upper age limit would be relaxable for three years in the case of scheduled castes and scheduled tribes, there would be unfair competition between the candidates who have done graduation with those who have gone up to the Higher Secondary level only. Many other practical difficulties would arise from lowering the age of entry. In the conditions prevailing

[11]Similar proposals had been considered in the past but abandoned. For example, L.K. Jha Committee on Economic Administration had given a lot of thought to it.

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600 Commissions and Committees on Services Reforms
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in India at present, the best course to adopt would be to fix the age of entry at 21-24 years when the candidate would have acquired testable faculties but not rigidity of outlook. Thereafter, the successful recruits should be subjected at the National Academy of Administration to a three years' high-level training course which should accord special importance to building of character and infusing values[12] which are necessary for creating an ethical State about the concept and necessity of which I have indicated my views in chapter XII.

From what I have brought out above, it should be clear that the list of failed civil services reforms in India has been a long one. Over six hundred commissions and committees to which reference has been made by me earlier have not produced any worthwhile results. Nor have the recommendations of the Planning Commissions on the subject. The current efforts are virtually on the old tracks. They do not hold much promise for the future. The New Public Management, too, has touched our governance machinery on the surface only and our response to it has been restricted to conferences, seminars and declarations. Though the developed countries have a vested interest in pushing the New Public Management movement as a part of their global strategy of spreading the ideology of neo-liberalism and though its adoption in toto is neither feasible nor desirable in our country, the fact remains that its dynamism, its enterprise, its emphasis on innovation and attaining higher productivity are all worthy values which must be imbibed to make our governance machinery efficient, effective and economical. *None of these values has been picked up. Routine and inertia continue.*

The basic reason for all this is that practically every agency concerned, directly or indirectly, with the civil service reforms, has been oblivious of the need to create a culture and climate which ignites the spark for reforms and provides a stimulus to the leadership to implement them with a sense of mission. This spark could be created by following the

[12]These values have been spelt out by me later in this section.

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course spelt out by me in chapter XI and chapter XII. So far as civil servants are concerned they should receive special attention. During their three years' course at the National Academy, referred to above, the recruits should be made to acquire a sense of India that had a powerful mind and an elevating soul, and had nursed a non-acquisitive temper and evolved a philosophy of work which was detached from weakness for reward.

Restricting the entry to the age-group of 21-24 years and putting the young civil service recruits through a special training course, which would commit them to the ethos of an ethical state would constitute the *third plank* of the new institutional set-up. The strength of this plank and the strength of two planks that I have discussed in the section[13] dealing with new units of management and development would be mutually reinforcing and would together provide a vital prop to the new edifice. These three planks would be in addition to those that would come up as a result of the measures taken through the Ministry of Ethics and Reforms the setting up of which has been proposed by me under the sub-head: Special Institutional Arrangements.[14]

V. REFORM OF NEW BUREAUCRACY: REGULATORS

Presently, few in the public realise that, with the appointment of a number of regulators and regulatory authorities,[15] consequent to the adoption of the new economic policy of neo-liberalism, a new bureaucracy is steadily emerging in the country. This bureaucracy enjoys immense powers with regard to matters in which big business houses and high-level politicians and officers may sometimes have significant financial or political interests or both.

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[13]See subheads 'New Units of Management and Development' and 'Another Positive By-Product'.

[14]For detail, see chapter XII.

[15]Earlier, there have been a few independent regulatory authorities like the Tariff Commission and Forward Markets Commission. Now, a large number of new and powerful regulatory authorities have come up. They include the Insurance Regulation and Development Authority of India, the Telecommunications Regulatory Authority of India and the Competition Commission.

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Scams and Scandals

The functioning of new bureaucracy could give rise to another set of serious problems pertaining to probity in public life, particularly when appointments of regulators and regulatory authorities are being made without adequate transparency and safeguards. The scams and scandals[16] like those of the Stock Exchange and Unit Trust have already shown the extent of harm that could be caused to the public interest by the inappropriate functioning of regulatory authorities. The Joint Parliamentary Committees[16] which inquired into some of these scams blamed a number of institutions, including the regulatory authorities, for various lapses on their part. For example, the Joint Parliamentary Committee which inquired into the stock market scam of 2001 has observed:

> The present scam includes the role of banks, stock exchanges, brokers, the Unit Trust of India, corporate bodies and chartered accountants. Regulatory authorities like Securities & Exchange Board of India, Reserve Bank of India and the Department of Company Affairs should have been able to lay down and implement guidelines and procedures that could prevent such a scam or at least activate red alerts that could lead to early detection, investigation and action against fraud as well as the rectification of any systematic deficiencies discovered.

It is also important that the regulatory authorities should function not only in a fair manner but also seen to be doing so. Quite a few cases have recently occurred which have caused misgivings in the public mind. For example, the comments published in the *Indian Express* recently under the caption, *Regulating the Regulator* raised a number of questions about the manner in which the Telecom Regulatory Authority of India acted with regard to a case concerning a big business house. The comments, inter alia, said:

> It's over four years since Telecom Regulatory Authority of India (TRAI) has been divested of its power to settle disputes

[16]For details, see section dealing with Corporate Governance.

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between service providers. Parliament in its wisdom amended the TRAI Act in 2000, transferring the dispute settlement power to another body specially created for that purpose, the Telecom Disputes Settlement and Appellate Tribunal (TDSAT). The amendment came in the wake of conflict-of-interest controversies over the vastly different roles the TRAI had been called upon to play as a regulator and an adjudicator. TDSAT, as the name suggests, has also been empowered to sit in judgment on appeals against any order passed by TRAI in pursuit of its regulatory authority. The demarcation of responsibilities between the two bodies is as clear as it could have been. But TRAI, headed by an ex-bureaucrat, does not still seem to have come to terms with the loss of power. Its repeated efforts to encroach on the domain of TDSAT does not augur well for the health of economic reforms. Invoking "general consumer interest", TRAI had in one stroke set itself up as a parallel dispute settlement mechanism. And given the kind of order it had already passed in the case of Himachal Futurstic, TRAI's motive in encroaching on TDSAT's jurisdiction seemed to be to help private operators use the BSNL network without paying anywhere as much as they would have to in the existing arrangement. This despite the fact that what is truly in public interest is not to bleed BSNL but to encourage private operators to expand their own networks.

These comments may be fair or unfair, but they do underscore the need for effective safeguards. The first and foremost requirement in this regard is that regulators should be appointed not by the Minister or Cabinet Committee but by a high-level independent Commission or Board.

Here, it may not be out of place to indicate that when I took over as Telecommunications Minister in 1998, I was anguished to note that all the members of the Telecom Regulatory Authority, including its Chairman, had undertaken tours of 16 countries to study the functioning of regulators abroad, though all necessary

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information was available in annual reports, books and periodicals and there was hardly any co-relation between the conditions in those countries and ours. Incurring of huge expenditure at public expense, under the cover of independence of the regulatory authority, cannot be justified at all. Later on, this is what the Director-General of Audit, Post and Telecommunication observed in his comments:

> Despite no authority under the Act, the TRAI issued a number of ad hoc orders fixing the rates of entitlements of various allowances and benefits for Chairperson and the Members of TRAI. These ad hoc orders sought to provide best possible package of benefits to the Chairperson and Members and give an unmistakable impression of TRAI being very expensive regulator.

Clearly, it is only at the time of selection[17] of the regulators that it can be ensured that persons of unimpeachable integrity with the right motivation and frame of mind are appointed.

With the changes in economic policies, it was absolutely necessary to have put in place beforehand a truly honest, independent, fair, coherent, efficient and effective regulatory regime[18] for all cases. Unfortunately, this was not done. The consequences were disastrous. A number of serious cases of scams and swindling, the particulars of which have been discussed in the section dealing with corporate governance, occurred. But, few lessons have been learnt from these unfortunate events.

Super-Regulators

In this arena, there is another item of reform that needs to be introduced immediately. It is necessary to set up a single high-

[17] A mode of selection has been suggested subsequently in this section.

[18] The entire approach was ad hoc. The regulatory authorities set up, like SEBI, were neither independent nor coherent nor efficient. The regulators were appointed by the government, and their working could be manipulated by the invisible hands of the politicians and businessmen.

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powered Regulatory Authority to keep an eye on the functioning of all the key components of the financial system which is increasingly assuming the form of a seamless web. The lines of business being handled by one component of the financial sector are getting linked with those handled by other components. For example, the decisions taken with regard to securities, stock exchanges and banks have often been found to have subtle relationships. If these relationships are not subjected to an integrated scrutiny of a single regulator, the unscrupulous[19] elements could manipulate the entire financial sector. We must, therefore, have a Super-Regulator,[20] having jurisdiction and authority over all the components of the financial system.

Apart from ensuring systematic stability and integrity, the institution of the super-regulator would yield many other advantages. It would eliminate a fragmented approach and obviate confusion that could be caused by different interpretations of the same or similar points by different regulatory authorities. The definitions of various terms could be standardised. Foreign and other investors would find it convenient to have one institution for reference in regard to all matters pertaining to the regulatory regime. In respect of infrastructure and administrative apparatus, economies of scale would accrue. Above all, the areas of responsibilities as well as of accountability would be clearly delineated. Planning for the future could also be more effectively carried out through the super-regulator rather than through functional regulators.

There is a worldwide trend towards consolidated supervision. U.K. has already set up a super-regulator, known as Financial Service Authority. Canada, Australia, Sweden, Norway and Hungary have also established similar super-regulatory authorities and they are all performing well.

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[19]This is what happened during the securities scam of 1992 in which Harshad Mehta was able to manipulate the system. Banking Sector was virtually an accomplice to the illegalities committed with regard to securities and stock exchange. Similar was the position in the Ketan Parekh case (See section on Corporate Governance).

[20]At present, there are 10 main regulatory authorities – RBI; SEBI; FMC; NABARD; IRDA; SIDBI; NHB; SFCs; FCUs; CCBs; and RCSs.

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Appointments to Regulatory Regimes

In the new institutional set-up, special care would be taken to ensure that the regulatory authorities are served by eminent persons who enjoy high public esteem on account of their proven record of rectitude and impartiality and the selection procedure for them is not influenced by political, business or any other extraneous consideration.[21] The chairman of such a super-regulatory authority should be appointed on the recommendations of a committee comprising the Lok Pal,[22] Comptroller and Auditor-General and Chairman UPSC. The other regulators of important regulatory bodies should be appointed on the recommendations of a committee headed by the super-regulator and a senior nominee each of the Comptroller and Auditor-General and Chairman UPSC. For comparatively less important regulatory bodies, appointment could be made on the basis of a selection committee headed by a functional regulator concerned with the subject. All the regulators should enjoy a statutorily backed fixed term. The super-regulator could be removed on the same considerations and after following the same procedures as are applicable in the case of a Supreme Court judge. The other two categories of regulators would be removable by the super-regulator after holding proper inquiry. These procedures, I am sure, would inspire much greater public confidence in the regulatory regimes than those in operation at present and also help in reducing, if not eliminating, the incidence of scams and scandals.

VI. POLICE REFORMS

What I have said in this chapter with regard to civil services reforms in general apply to the police as well, particularly with regard to

[21] A recent study made by S.L. Rao, former Director-General of National Council of Applied Economic Research, reveals that about 50 per cent of chairmen and members of Electricity Regulatory Commissions came from the I.A.S. or erstwhile members of State Electricity Boards. There has been little independent role and no improvement in the commercial viability of the utilities at the state level.

[22] Till the institution of the Lok Pal comes into being or if there is any legal or constitutional difficulty in assigning the responsibility to it, a retired Chief Justice or Judge could be appointed to head the selection committee.

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the need to absorb the values of an ethical state during the special training course at the National Academy of Administration. There are, however, a few special aspects of its role and functions which need to be highlighted and with regard to which reforms are called for.

The Indian police is usually at the receiving end. Neither is its positive contribution adequately appreciated nor the basic reasons for its negative aspects clearly understood. Justice demands that its problems and performance are viewed in the correct context and in the totality of the circumstances prevailing in the country.

Social Milieu

The police, like any other institution of the State, does not function in a vacuum. It is a part of the social milieu. While finding fault with the police, people seldom look into their own conduct. Ben Whitaker has significantly remarked : "The public use the police as a scapegoat for its neurotic attitude towards crime. Janus-like, we have always turned two faces towards a policeman. We expect him to be human and yet inhuman. We employ him to administer the law and yet ask him to waive it. We resent him when he enforces law in our own case, yet demand his dismissal when he does not elsewhere. We offer him bribes, yet denounce his corruption...."

People in maturer societies understand their civic obligations and discharge them willingly. The British public, for example, respects and helps the British police which, in turn, acts as its friend, guide and protector. That is why, as revealed by a number of opinion polls, the British police enjoys more confidence than any other institution. On the other hand, the people in India, by and large, run away from their obligations to the police. Even when they are a witness to a crime, they would pretend not to have seen it.

In a case which came up before the Supreme Court in 1981, it was on record that one Prem Chand had appeared as a witness for the police in about 300 cases in return for the indulgence shown by the local police in not taking action against his illegal soft-drink shop near Delhi's Delite cinema. The police conduct, rightly condemned by Justice Krishna Iyer, was born out of the habit of

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some policemen of the day to arrange false witnesses to secure convictions in true cases. Years ago, Justice Sir Walsh of the Allahabad High Court had observed: "Whereas the English detective begins with his available witnesses, and works his way up to the discovery of truth, the Indian sub-inspector begins with the accused, and from him works his way up to witnesses."

While the Constitution and the laws provide the framework of the power structure of a State, it is largely the social ethos that determines the manner in which different institutions of that structure function. It is the enlightened conscience of the nation that acts as a supplier of pure blood to these institutions and ensures their vigour and vibrancy. As this blood supply has been badly infected by political expediency and constitutional immorality, almost all the institutions of the State are malfunctioning.

The institution of the police is no exception. It is expected to serve as an instrument to effectuate the rule of law, the establishment of which is one of the basic objectives of our Constitution. But, in actual practice, it virtually acts as a handmaid of the Government in matters in which personal and political interests of the power-wielders of the day are involved. I do not wish to take sides in any of the controversies concerning scams, scandals and cases of high-level corruption, but it cannot be denied that the police investigations in these cases have been guided less by the desire to find the truth and more by the manipulation of law and procedures to obfuscate the issues.

Narrow political considerations have virtually made it impossible for the police to function in a fair and just manner. In matters involving political personalities and other rich and powerful interests, the police is seldom allowed to act independently and impartially. It is either pressurised or made a partner in a relationship that is mutually beneficial.[23] How a large scale violation of laws is

[23]Pressure is exerted through the instrumentality of transfers in respect of which details have earlier been given while referring to the P. C. Hota Committee report. A telling example of mutually beneficial relationship is that of the recent fake stamp paper scam – Abdul Karim Telgi Scam – in which several senior police officers and politicians of different States are involved.

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encouraged or connived at or participated in has already been indicated by me in previous chapters[24]. In this regard, late N. A. Palkhivala had made the following significant observation as early as August 8, 1985, when the conditions were not half as bad as they are today:

> Law and order has broken down in most parts of India ... Professional autonomy of the police force has been completely destroyed by political directive, political influences and political interferences. A professional and honourable police force is valuable in every society, but it is invaluable in a society like ours which is marked by three characteristics – divisiveness, indiscipline, and non-cooperation.[25]

Soft State and Stern Laws

India is also a peculiar case of a soft and permissive state with stern and stringent laws. It combines the disadvantages of both. While on the one hand it suffers from the fall-outs of softness and permissiveness, on the other, it is subjected to severe criticism for having draconian laws on its statute. Neither are the objectives of strong laws attained nor the country's image effectively protected from the onslaught of India-baiters and human rights bodies.

Take, for example, the case of Kashmir. After it was badly hit by Pakistan-sponsored terrorism in mid-1989, stringent laws like the Terrorist and Disruptive Activities (Prevention) Act, 1987(TADA), were extensively used. But the manner in which these laws were enforced shows how weak was the resolve of the rulers of the country to combat terrorism, how poor was their capacity for implementation and how selfishly disposed were they to sacrifice national interests for short-term political gains.

During the six years' period (1990-96), despite hundreds of heinous crimes, not a single dangerous terrorist was convicted under the TADA – not even the self-confessed killers of the four officers

[24]See chapters VII, VIII and XII

[25]K. Santhanam Memorial Lecture 1985

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of the Indian Air Force, the murderers of the Kashmir University Vice-Chancellor Mushir-ul-Haq, the Doordarshan Station Director Lasa Kaul and Awami Action Committee leader Mirwaiz Maulvi Farooq.

In all these cases, investigations were completed, during my second tenure in 1990 as Governor of the State, through the agency of CBI, and a designated court was set up at Jammu for expeditious trial of the accused. But after I left, the court at Jammu was made dysfunctional under petty political pressures and the entire machinery scattered.

Had the law – TADA – under which the accused were indicted, been allowed to take its stipulated course, the culprits would have been brought to justice speedily, with a deterrent effect on all, particularly those who were being induced to join the ranks of terrorists by pro-Pakistan outfits. It would have also shown to the whole world how barbaric and brutal were the ways of the so-called freedom fighters. We could have then reminded our critics with a great deal of conviction what Senator Jackson once said: "The idea that one person's terrorist is another's freedom fighter cannot be sanctioned. Freedom fighters or revolutionaries do not blow up buses containing non-combatants; terrorist murderers do. Freedom fighters do not assassinate innocent businessmen or hijack and hold hostage innocent men, women and children; terrorist murderers do. It is a disgrace that democracies should allow the treasured word 'freedom' to be associated with the acts of terrorists."

The paradoxical ways of our political rulers, unfortunately, landed the country in the worst of both the worlds. The ineffective implementation of TADA even with regard to cases involving heinous crimes made it look like a mere paper tiger. This emboldened the terrorists and resulted in the escalation of violence. It also prolonged the collective agony of innocent people. At the same time, it caused frustration to the security forces – a frustration that sometimes manifested itself in their losing their cool and taking actions that exposed them to charges of human rights violations.

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It is because of the weak and vacillating frame of mind of India's ruling elites that the problems of terrorism and subversion as well of general law and order have been mounting, as indicated in detail in chapter VII. As the data given therein[26] shows, the country seems to be on the verge of writing another grammar of anarchy for its beleaguered people, putting police and para-military forces under severe strain and jeopardizing both national security and national integrity.

A recent report of the Task Force on Internal Security discloses highly disturbing facts. In a sizeable part of the North-Eastern States, a virtual parallel government is being run by subversive elements. They collect taxes, dictate awards of contracts, intimidate officers and occasionally annihilate those who try to stand firm in discharge of their duties. The overall work environment for the police and security forces are uncongenial. There are no proper control rooms for 70 per cent of the police districts. 50 per cent of the police outposts and 25 per cent of the police stations have no regular buildings. The Islamic fundamentalists, the left wing extremists[27] and secessionists possess sophisticated weapons. The police, on the other hand, is generally not so well-equipped. Consequently, it suffers a number of avoidable casualties. In quite a few cases in which subversive elements are arrested and prosecuted, cases are withdrawn after some time on petty political considerations.

Of late, international terrorism has generally acquired a longer reach and higher capacity weapons to inflict damage to life and property. In the coming days, India could face a more serious threat from this menace. A research study (2004) of the Institute for International Security Studies, London, has revealed that about "18,000 potential terrorists are at large in about 60 countries".

[26]See the sub-heads 'Law and Order' and 'Terrorism and Subversion' in chapter VII.

[27]According to a special report published by two senior journalists of the *Asian Age* (February 13–16, 2005), Naxalite violence has been fast increasing. From 156 districts in 13 States in September 2004, it has spread to 170 districts in 15 States in February 2005. On an average, the Naxalites have been expanding their base to two districts per week. They have created a compact revolutionary zone from Nepal to Andhra Pradesh, and have 12,000 trained and militarised members in their cadre.

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The US State Department has also reported that the year 2003 saw more victims of terrorist crime than the year 2002. The recent terrorist attack[28] in Beslan, Russia, in which hundreds of innocent persons, including children, were brutally killed, shows to what kind of savagery countries like India may be exposed.

A Marked Feature

Another marked feature of the contemporary police scene is that nature of general crime has acquired new dimensions. In a message to the Ninth UN Congress on prevention of crime, former Secretary-General Boutros Boutros-Ghali had rightly observed:

> Powerful international criminal groups now work outside national or international law. They include traffickers in drugs, money-laundering, illegal trade in arms – including trade in nuclear materials – and the smuggling of precious metals and other commodities. These criminal elements exploit both the new liberal international economic order and the different approaches and practices of States. They command vast sums of money, which they use to suborn State officials.

Millions of dollars could be sent in a short time from one country to another through electronic devices, making it difficult under the normal law to detect the links in the long chain of subversive and terrorism-related activities. A number of new avenues of generating illegal income have also opened up and helped in the emergence of 'empowered terrorists net-work' all over the globe. Terrorism, of late, has assumed a more sinister and savage form. It has now become *mega-terrorism*, the destructive power of which could be seen in the attack on the World Trade Centre on September 11, 2001.

[28]The attack occurred on September 3, 2004 on a school. The carnage took about 500 lives, mostly of children. After the dreadful massacre, Vladimir Putin, President of Russia, significantly remarked : "We showed ourselves to be weak, and the weak get beaten".

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Cyber crime is throwing up another kind of serious challenge to the police and security agencies. It has been rightly observed:

> Cyberwarfare is the battle for control of the Internet and the large chunk of our economy that now depends on this network of computers. This includes the computers you use at home. There have already been skirmishes. Those computer viruses and worms you hear about are just a few of the weapons that can be used to shut down computers, destroy data, and damage the nation's power plants, factories, fuel supplies, communications systems, and even parts of armed forces.[29]

Some terrorist organisations are engaged in training 'cyber warriors' and computer hackers. Softwares are also being pirated on a large scale. It is estimated that the global market for pirated computer softwares has already reached $30 billion per year. On account of this piracy, India is at present losing $367 million annually. Quite a few 'on-line sites' on internet are being used to promote illegal sales of weapons to criminals. Hate sites are also being put up on the Net. It is becoming increasingly difficult for the police and other authorities to control illegal trade in drugs, arms and money and keep a watch over agile and trained terrorists some of whom are virtually stateless. It has been estimated that $32.5 billion are presently being pumped into the black market of the country annually by way of illegal activities connected with narcotics cultivation and trade.

The magnitude of complexity of the present-day transnational crime has been brought out in the World Watch Report (2005) on the state of world (global security). It says:

> Transnational crime syndicates distribute harmful materials, weapons, and drugs, they exploit local community and disrupt fragile eco-systems, and they control significant economic resources. In 2003, transnational crime syndicates may have

[29] James Dunnigan : *The Next War Zone*, p.5.

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grossed up to $2 trillion – more than all national economies except the United States, Japan and Germany. The bulk of crime syndicates' revenue comes from drug trafficking. Sales of illegal drugs annually raked in anywhere from $300 billion to $500 billion. Perhaps one of the most tragic businesses that transnational criminal organisations are involved in is the trafficking of humans. While the number is difficult to know for sure, the US State Department estimates that at least 600,000 - 800,000 people are sold internationally each year – exploited for labour, sexual services, or even the removal of their kidneys or other organs for transplant purposes.

Seven Items of Reforms

In the context of the position elaborated above, I would suggest, in conjunction with reform measures proposed in chapter XII and earlier sections of this chapter, seven specific items of police reforms for an agenda for action.

First, keeping in view the growing complexity and variety of crimes which require, apart from highly professional and technical skills, mental and intellectual calibre of very high order, the police cadres for various levels of officers and ranks should be substantially upgraded and made more attractive in terms of emoluments and career prospects. Highly trained and specialised sub-cadres, within the overall cadre, should also be developed to handle the technical equipment and deal with the subversive elements whose activities are increasing both within and outside the country and whose operations are becoming more subtle and technology-oriented.

Secondly, on the basis of the recommendations already made by various commissions and committees, such as the National Police Commission (1977-80), Law Commission's Reports number 152(1994) and 154 (1996), the J.F. Ribeiro Committee Report (1998), the Padmanabhaiah Committee Report (2000), Justice V.S. Malimath Committee(2002) and National Commission to Review the Working of the Constitution (2002), government should evolve

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a new mechanism to avoid judicial delays,[30] to secure substantial reduction in the rate of acquittal and also to impart 'victim orientation' to criminal-justice administration. Institutional arrangements should also be made to insulate 'the police from politics' and to ensure that the policeman acts as an agent and servant "of the law and the law alone".[31]

Thirdly, the work pertaining to investigation, which "requires patience, skill, long range efforts and expertise of a high order", should be separated from the work of maintaining law and order which calls for "very quick action on the spot, faculty of immediate response, firmness of mind and a decisive approach."[32] After separation, the entire police machinery relating to investigation and prosecution should be placed under a statutory Criminal Justice Commission which would also keep a watch over the state of prisons and the manner in which criminal courts deal with cases, particularly those relating to under-trials which constitute about 70 per cent of the total number of prisoners in Indian jails.

Fourthly, certain offences, such as those relating to terrorism, subversion, espionage, money laundering and arms and drug trafficking, should be declared as federal offences and entrusted to a federal agency for investigation and prosecution, and this federal agency should function on lines similar to those followed by the Federal Bureau of Investigation of the United States of America. The superintendence and control over the entire work of Central Bureau of Investigation should be placed under the Central Vigilance Commission which has now been given statutory status under the Central Vigilance Act, 2003.

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[30]One of the ways of obviating judicial delays is to set up a new institution of Auditor-General, Judicial, in respect of which I have given my proposals in this chapter's section titled : Judicial Reforms

[31]These words have been taken from Lord Denning's famous quote which, *inter alia*, reads : "He (policeman) is not the servant of anyone, save the law itself. No minister of the crown can tell him that he must or must not prosecute this man or that one. He is answerable to the law and the law alone."

[32]The words within inverted commas have been used by the Law Commission in its 152nd report (1994).

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Fifthly, the work handled by various intelligence agencies, including those of the armed forces, should be effectively coordinated at the level of National Security Council. Special attention should be paid to the need for prompt upgradation of technology, so as to keep the intelligence agency always ahead of those elements who are engaged in hatching conspiracies against the nation.

Sixthly, it is time that we ended distrust of the police as an institution. If we expect the Indian police to function as effectively and efficiently as in countries like the U.K., our criminal courts, too, need to develop a more realistic attitude and not insist on perfect proof. In this connection, Justice V. Krishna Iyer has pertinently observed: "Judicial insistence for perfect proof accounts for police presentation of fool-proof concoction. Why fake up? Because the court asks for manufacture to make truth, look truth. No, we must be realistic."

Seventhly, the Indian State must shed its soft and permissive attitude which, experience tells us, has been very much pronounced at the initial stages of the problems. Both in Punjab and Kashmir, terrorism and subversion would not have taken such a serious form as it did if the political leadership had not blinked at the numerous infringements of law at the time the trouble started. The Union as well as State governments must learn to rise above narrow consideration and take firm steps to nip such mischief in the bud.

These seven items of police reforms would together constitute another solid phalanx of support to the new institutional set-up and add immensely to its overall strength. Better internal security and improved law and order situation would also make the country more attractive for foreign investment and lead to speedier economic development.

VII. JUDICIAL REFORMS

In chapter VII, I have shown, by citing specific examples from personal experience, how of all the three main components of the power-structure of the Indian State – executive, judiciary and parliament – it is only the judiciary that still enjoys some public

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confidence and esteem. But it has its own stultifying patterns. These patterns, too, have been delineated in the said chapter. The ambivalence in the functioning of the Indian judiciary has been noted by quite a few analysts. For example, Galantar has observed:

> Courts in India are viewed with a curious ambivalence; they are simultaneously fountains of justice and cesspools of manipulation. Litigation is widely regarded as infested with dishonesty and corruption. But courts, especially High Courts ... are among the most respected and trusted institutions.[33]

Audit-General, Judicial

To remove the shortcomings of the judiciary, one of the basic reforms[34] that needs to be undertaken is to set up a new institution which may be named Audit-General, Judicial. Its main function would be to carry out audit of judicial work of all courts except the Supreme Court. The institution would be so designed as to ensure that the independence of the judiciary is not undermined but quality of work, including its honesty, objectivity and speed,[35] is assessed.

The Auditor-General would be assisted by four Additional Auditors-General. For handling of work, the country would be divided into four zones – north, south, east and west. Each zone would be placed under the charge of an Additional Auditor-General. The working of the courts in a zone would be judicially audited by the Additional Auditor-General in charge of the zone or by judicial auditors designated by him.

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[33]Galantar, Marc: *Competing Equalities : Law and Backward Classes In India.*

[34]In this section, I am not touching judicial reforms like those relating to setting up of 'fast track courts' which are already being attempted. I am confining myself to my new suggestions, such as the one pertaining to a new institution of Audit-General, Judicial, or to the suggestions which have been in the air but have not yet taken a definite shape.

[35]In connection with the present speed of disposal of cases, it may be noted that at the end of 2000, 49,21,710 criminal cases under the IPC and 39,49,230 under the special laws were pending in the courts. *Source* : Consultation Papers of the National Commission to Review the Working of the Constitution.

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The audit would be restricted to a few cases and would be carried out in accordance with the rules to be framed by the Auditor-General with the approval of the Supreme Court. The basic objective would be not to resort to a post-mortem of judicial cases settled by the judges but to create a healthy impression amongst them that they cannot afford to be indolent, irresponsible or arrogant in the discharge of their duties, and that both the quality and volume of the work handled by them could be subjected to scrutiny by a trained and experienced eye of an independent body whose reports[36] would come to the notice of the Supreme Court.

The Auditor-General, Judicial, would be an appointee of the Supreme Court and submit his report to the said Court only. The selection would be made by a collegium of the Supreme Court, headed by the Chief Justice. It would be restricted to persons who are working or have worked as Chief Justices of the High Courts or judges of the Supreme Court. The selection and appointments of Additional Auditors-General and also of the judicial auditors would be made on similar principles. The other organisational details could be worked out under the direction of the Supreme Court in whose annual budget suitable additional provision would be made to meet the cost of establishment of the new institution.

Audit-General, Judicial, would serve as an important plank of the judicial component of the new structure of governance that I am proposing. It would reform the system substantially. Both the quantity and quality of the output of the courts would improve. Greater confidence in the system would be generated in the public. The judges would be generally compelled to apply their minds at the initial stage of the cases, and this would reduce frivolous and what I may call 'non-public interest litigation'. I have come across hundreds of cases in which illegal builders with questionable intentions were able to obtain 'stay orders', taking advantage of the

[36]These reports, if they pertain to the District Courts, would be sent to the respective High Courts for appropriate action. So far as the reports concerning the High Courts are concerned, these would be examined by the Supreme Court itself for forming opinions about the merit of the Judges and their suitability for future promotions.

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easy approach of the judges at the time of first hearing. The litigant was not even asked whether he had applied to the municipal body for sanction of the building plan. The new institution would also be in position to collect and publish all kinds of judicial statistics and thus render working of the judiciary more transparent and open.

All-India Judicial Service

Another important judicial component of the new governance structure would be an All-India Judicial Service which would be organised on a pattern similar to that of Indian Administrative Service and Indian Police Service. Recruitment to this service would be made on the basis of a competitive examination to be conducted by the National Judicial Commission whose functions with regard to the new service would be analogous to those of Union Public Service Commission. The successful recruits would have to undergo extensive training for two years at the National Academy of Judicial Administration. The training, besides imparting judicial and management skills, would aim at building a strong character and injecting in the recruits those ethical and cultural values that would enable them to develop a powerful mind and an awakened soul[37]

The service cadre of highly qualified, trained and motivated officers would have a positive impact on the entire judicial system of the country. It would improve the quality of the judges, particularly at the level of District Courts, and result in speedier disposal of cases and elimination of arrears. The National Commission to review the working of the Constitution has, in its report (2002), quoted an eminent jurist as asserting that "the best solution to tackle the arrears is to appoint less number of judges but more competent ones."

The new service would strengthen the forces of national unity, provide mobility, widen career choices and promote urges to build

[37]For comprehensive understanding of what I mean by the *powerful mind* and *awakened soul*, chapter XI titled: *Rekindling the Power of the Indian Mind* and chapter XII titled: *Freeing the Long Suppressed Soul of India* may be read.

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a high reputation for honesty and efficiency at the all-India level. It would also make available a number of senior and experienced officers for appointments as chairpersons and members of Regulatory Authorities[38] which are being set up in a large number in areas of commerce and industry. The officers belonging to this service would also be free to compete for the top posts in the Units of Management and Development, details in respect of which I have spelt out earlier in this chapter.

Since all judges of the High Courts are proposed to be appointed in future on the recommendations of the National Judicial Commission, selection upto 50 per cent of the vacancies, could be made out of outstanding officers of the All-India Judicial Services. The remaining vacancies could be filled from the eminent members of the Bar. At the state level, for servicing subordinate courts, the State Judicial Service should be set up under the control of the State Judicial Commission and avenues of promotion (33 per cent) to the All-India Judicial Service should be provided to its members. It would be ensured by the National Judicial Commission that, while general parameters of both state and national cadres are adhered to, no officer of exceptional merit is denied opportunity to aspire for and reach the highest position in the judiciary.

National Judicial Commission

The proposal to set up a high-level National Judicial Commission for recommending appointment of judges to the Supreme Court and High Courts has been in the air for quite some time. The National Commission (2002) to Review the Working of the Constitution has supported this proposal and suggested that the Commission should be a Collegium "which gives due importance to and provides for the effective participation of both the executive and judicial wings of the State as an integrated scheme for the machinery for appointment of judges". In its view, the composition of the National Judicial Commission should be the Chief Justice

[38]See the section of this chapter, sub-titled: 'New Bureaucracy of Regulators'.

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of India as chairman, two senior-most members of the Supreme Court, the Union Law Minister and an eminent jurist to be nominated by the President in consultation with the Chief Justice, as members.

As a measure of judicial reform, government should enact the necessary law to give effect to the above proposals and also to entrust to the National Judicial Commission the task of making recommendations to the President with regard to transfer of judges from one High Court to another High Court and also in respect of other cases involving independence of the judiciary.

In the current scenario,[39] when the political executive and legislature have developed an unfortunate disposition to blink at, and even encourage, infringement of laws to secure short-term political gains, higher judiciary has to assume higher responsibility and keep in mind what Lord Sedley said in his Paul Seighart Memorial Lecture (1995): "Modern public law has carried forward a culture of assertiveness to compensate for, and in places repair dysfunctions in the democratic process." It must display a strong streak of Judicial Activism and ensure, through Public Interest Litigation and other mechanisms, that political expediency does not mutilate the rule of law and overall and long-term interests of the society are protected. This, coupled with the three sets of reforms indicated above, would substantially strengthen the judicial components of the governance machinery and help it in becoming the strongest pillar of the reformed set-up.

VIII. ELECTORAL AND PARLIAMENTARY REFORMS

Mindset of the Election Commission

I have largely covered the electoral and parliamentary aspects of governance-reforms in chapter XII[40], wherein I have analysed, on the basis of examples, that the Election Commission has all the powers but lacks the will to use them in a meaningful way. It

[39]See chapter VII wherein the current scenario has been analysed in detail. In fact, this section and section dealing with judiciary in chapter VII need be read together.

[40]See section sub-titled: Mindscape of the Constitutional Authorities.

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contents itself by grappling with only the softer crusts of the problem, leaving the harder crust untouched. This mindset of the Commission, coupled with the contaminated political and social environment of the country and absence of a healthy democratic temper amongst the people, has been making the electoral scene murkier by the day, despite several reports[41] of committees and commissions and changes in law and procedures made since the time of the first general election.

3Ms and 3Cs

Behind the smoke-screen of democracy and its supporting laws and institutions and its ever-increasing frills, our electoral processes have now virtually come under the domination of what are called three M's – money, muscle and mafia; and three C's – crime, corruption and caste.[42] Consequently, our educated and comparatively well-to-do class has been becoming more and more indifferent and cynical; our ignorance and poverty–ridden masses have been falling prey in larger number to manipulation and demagogy; and our social evils in general – parochialism, caste prejudices and petty loyalties – have been striking deeper roots. Most of the political leaders have forgotten: "The triumphs of demagogies is short-lived; but its ruins are eternal".

In brief, our electoral processes, as practised on the ground, have been sucking morality and maturity out of the system and producing a pattern of governance that is destructive of the very aims and objectives which true and genuine democracy[43] seeks to attain. T.S. Eliot, in his highly philosophical poem, *Choruses from the Rock*, has reflected:

> Where is Life we have lost in living?
> Where is Wisdom we have lost in Knowledge?

[41] Prominent amongst these reports are: The Goswami Committee on Electoral Reforms (1990); The Indrajit Gupta Committee on State Funding of Elections (1998); and the Law Commission's Report on Reforms of the Electoral Laws (1999).

[42] In respect of the data showing increase in the number of persons, with criminal record, entering parliament and state legislature, see chapter VII and chapter XII.

[43] In this connection, section dealing with the nature of our democracy may be seen.

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Where is Knowledge we have lost in Information?
The cycles of Heaven in the twenty centuries
Bring us farther from God and nearer to the Dust.

I do not think it would be wrong to entertain a similar train of thought and say that we have virtually lost our democracy in the very process of establishing it. The origin of the fault-lines that has brought down the edifice lies in the mind and soul of "we – the people" and the manner in which we act as voters or as functionaries entrusted with the task of running key institutions of the State.[44]

Few of us know that most of our parliamentarians and legislators get elected with less than 50 per cent of the votes polled. This percentage would come down to about 25 if the total number of voters in the constituency is taken into account. In quite a few states, about 90 per cent of the legislators have won on minority votes. In the eleventh, twelfth and thirteenth Lok Sabha, about 67 per cent of the members entered the House, who got less than 50 per cent of the votes cast. In some cases, candidates have won with as small a percentage as 13. On the general electoral scene prevailing in the country today, the following is the verdict the National Commission to Review the Working of the Constitution (2002):

> The sources of some of the election funds are believed to be unaccounted criminal money in return for protection, unaccounted funds from business groups who expect a high return on this investment, kickbacks or commissions on contracts etc. No matter how we look at it, citizens are directly affected because apart from compromised governance, the huge money spent on elections pushes up the cost of everything in the country. It also leads to unbridled corruption and the consequences of widespread corruption are even more serious than many imagine. Electoral compulsions for funds become the foundation of the whole super structure of corruption.

[44]See examples cited in chapter VII, particular section dealing with Parliament; and chapter XII (Section: "We – the people")

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The solution to the problem of purifying electoral processes and provide meaning and substance to our democracy lies not in making further amendments in the election laws but in taking action in accordance with the blueprint unfolded in chapter XII. *It is of utmost significance that those whose offices are constitutionally protected, learn to discharge their responsibilities in a meaningful and constructive way. They should concentrate on smashing 'coalitions of illegalities' and 'networks of corruption' the working of which I have discussed in the said chapter. On the surface, the task looks difficult. But it is not so. A determined and deterrent action in a few cases would reduce its dimensions. If persons with powerful minds and awakened souls should come to occupy constitutionally protected offices, the problems would be solved in a short time.*

IX. LOCAL GOVERNANCE REFORMS – PANCHAYATS

The republican tradition was a persistent factor in ancient India, and Mahatma Gandhi had been, during the freedom struggle, advocating setting up of self-governing and self-contained institutions for managing public affairs at village-level. The framers of the Indian Constitution, however, took a more realistic view of the prevailing conditions and committed themselves only to a philosophy of democratic decentralisation by incorporating it in the Directive Principles of State Policy.[45] They knew that ancient traditions in this respect had been virtually smothered out of existence, particularly during the British regime, and their regeneration had to take a different form.

Early Phase

During the period, 1958 to 1962, a strong wave in favour of Panchayati Raj institutions emerged at the national level. The motive power for this wave was provided by the recommendations

[45]Article 4 of the Constitution stipulates: "The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government".

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made by the Balwant Rai Mehta Study Team which envisaged setting up of three-tier Panchayat institutions. It was propagated that projects of rural and community development could be successfully formulated and implemented only through these institutions. The matter was pursued with the state governments. By mid 1960s, 330 Zilla Parishads, about 7,500 Panchayat Samitis and about 60,000 Village Panchayats, covering about 220,000 rural settlements, had come into being. But the wave soon petered out, and the system soon went into disuse.

The idea of Panchayati Raj as an institution of governance and political education of the people and also as a mechanism of securing decentralisation of power came to the forefront again when the Asoka Mehta Committee was appointed in 1977. No concrete results were, however, visible till the late Rajiv Gandhi took the initiative after becoming Prime Minister on October 31, 1984.

Rajiv Gandhi's Initiative

Rajiv Gandhi's initiative resulted in the 73rd constitutional amendment, the main features of which are : (i) a three-tier system of Panchayat Raj for all States having a population of over twenty lakhs; (ii) Panchayat elections to be held regularly every five years; (iii) reservation of seats for the Scheduled Castes and Scheduled Tribes and for women (not less than one-third of seats); (iv) constitution of State Finance Commissions; (v) constitution of District Planning Committees to prepare development plans for the district as a whole; (vi) establishment of State Election Comissions; and (vii) establishment of Gram Sabhas.[46]

Shortly after the aforesaid amendment, the late P.V. Narasimha Rao, the then Prime Minister, in his letter of May 5, 1993 to Panchas and Sarpanchas confidently asserted:

> Democracy and devolution of powers to Panchayats have now become part of the most sacred document of this nation : the

[46]This summary of the features has been done by the National Commission for Review of the Working of the Constitution.

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> Constitution of India. No one can now snatch democratic practices from your Panchayat ... The Constitutional changes will prove to be a major landmark in the history of development of rural areas of this country... They will be vibrant institutions performing necessary development, regulatory and general administrative functions.

Assessment

More than a decade has passed since the above assertion was made. But it has not yet fully materialised on the ground.

The formal compliance of the 73rd constitutional amendment and the state laws enacted in consequence thereof has been done. The country has now about 2,32,278 village panchayats, 622 intermediate panchayats and 535 district level panchayats, having a total membership to 229.2 lakhs of whom one-third are women-members.[47] But formal compliance is one thing and operational reality quite another.

Leaving aside a few states like Karnataka, West Bengal and Andhra Pradesh, there has been a marked reluctance on the part of the state governments to assign functions and financial powers to Panchayati Raj institutions which are being increasingly viewed by petty political interest in the states as rival centres of powers. In this connection, the National Commission to Review the Working of the Constitution has observed: "The objectives envisaged in the Amendments have not been fully achieved." Likewise, the Parliament's Standing Committee, in its 37th report of August 26, 2002, has noted that most of the states had neither devolved "the functions and finances" nor accepted the recommendations of their respective Finance Commissions.

Rough Weather Ahead

A decade or so is perhaps too short a period to make a definitive assessment of the new system of governance at the local level. But

[47]Ministry of Rural Development : Annual Report, 2002-03.

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the way the straws in the wind are floating suggests rough weather ahead.

A sizeable section of the panchayats is not likely to rise above its caste loyalties or shake off its parochial and obscurantist outlook. There is every danger of social tyranny being established at the village level. A glaring example of what could happen was provided by a recent case in Haryana in which the panchayat ordered a pregnant woman and her husband to terminate their marriage and live like brother and sister as they belonged to the same 'gotra'. What is equally disconcerting is that there is no evidence to suggest that feudal and caste ethos of power are giving way to the requirements of providing even-handed justice to all.

The panchayats are also prone to be insensitive to some of progressive provisions of law, such as those pertaining to environment and conservation of heritage. During my visits to the archeological sites, while working as Culture Minister I noticed quite a few cases in which panchayats, under the cover of autonomy, had given licences for quarrying of stones near the 'protected ancient monuments' and even permitted shops to be constructed within the 'prohibited areas'. In one case, a bridge was allowed to be built which could result in the deletion of a monument from the UNESCO's list of World Heritage Sites.

Moreover, in times to come, narrow considerations of party politics would have a deeper impact on the Panchayat elections as well as on their day to day functioning, thereby fanning and fomenting local division and conflicts. The old animosities could reappear and new ones created.

The panchayats have, moreover, shown total disinclination to raise local resources. In all likelihood, they would turn into mere spending institutions, asking for more and more funds and blaming the state or central government for what may actually be their own poor performance. The State Finance Commissions have been able to identify very little resources that they could recommend for allocation to the panchayats. In fact, their exercise has amounted to nothing but a desperate attempt to transfer funds from one bankrupt level to another.

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Quite a few other infirmities of the 73rd amendment have been causing difficulties in practice. Apart from the lack of clarity with regard to the functional and financial domains, the roles of the District Planning Committee, the District Administration and Zilla Parishad and their mutual relationships have not been clearly defined. Consequently, the state governments have been drawing their own interpretation and proceeding accordingly. The Maharashtra District Planning Committee Act, 1998, stipulates that the Minister in charge of the District would be ex-officio chairperson of the District Planning Committee, the chairperson of the Zilla Parishad would be its ex-officio vice-chairperson and District Collector would be its ex-officio secretary. On the other hand, the Acts of States like West Bengal, Kerala, Karnataka and Rajasthan envisage that the chairperson of the Zilla Parishad would also be chairperson of the District Planning Committee. While in the latter case, the chairman of the Zilla Parishad becomes too powerful, in the former the State government, through the Minister, remains in the driving seat. Both the arrangements have their shortcomings. That is why only 14 State governments have so far constituted the District Planning Committee. By and large, the problems of the rural-urban continuum remain unattended.

Three Items of Reforms

In view of the position enunciated above, I would suggest three specific items of reform in this area. First, a comprehensive amendment of the 73rd amendment should be carried out to demarcate clearly the functional and financial domains of the Panchayats and to define in precise terms the relationships amongst the three district level institutions. Secondly, a social mobilisation programme should be launched as a regular feature to root out the indifference of the common villager who shows little faith in the capacity of his Panchayat and does not think it would be able to solve the problems either of development or of poverty removal. Ironically, there has been hardly any organised demand of the villagers for Panchayati Raj institutions; all changes have been

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brought about from above. Thirdly, a large number of capacity building centres for different categories of Panchayats need to be set up all over the states and adequate financial provision made for them through liberal Central government grants.

Danger

These reforms would help in removing the operational shortcomings that have come to notice during the process of execution. Even otherwise, the process has remained tardy and devoid of sustained social and administrative thrust that is needed for bringing about a fundamental change at the grass-roots level. But I have little doubt that if the blue-print of the reforms outlined by me in chapter XII to improve the basic timbre of society, that is, "we - the people", is not implemented, there is every danger of Panchayati Raj institutions turning, in most parts of the country, into centres of decentralised corruption, decentralised political fragmentation, decentralised caste divisions and decentralised litigations, violence and social disruption.

X. MUNICIPAL GOVERNANCE

In chapter VIII and also in a few sections of chapters VII and IX, I have described in detail, citing specific examples from personal experience, how our cities are being ravaged by a number of unhealthy forces and how they are being pushed virtually to a point of no return. I have also indicated that, except for ensuring periodic elections, the Seventy-Fourth Amendment to the Constitution, has not caused any improvement in the quality of municipal governance in the country. Nor is it likely to do so in future.

It is strong leadership alone, inspired continuously by the reformed impulses of an awakened mind, that could vanquish the negative forces that have established their stranglehold on our urban affairs. Besides working for the emergence of such a leadership at the municipal level, our thinking on the subject needs to undergo a new orientation.

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New Orientation

we follow Lord Ripons blue print-cre municipal corporations.

Our corporations and municipalities are still structured largely on the nineteenth century ideas of Lord Rippon, namely, local contact and local knowledge. These ideas may be useful for managing the day-to-day civic affairs. But they cannot meet the challenges of planning and managing rapidly expanding cities, particularly the huge metropolitan areas. Local contacts nurse local vested interests. These could prove a hindrance rather than help in handling the problems of urban poverty, urban pollution and urban productivity. New problems,[48] moreover, require a new vision and a new implementational will. New resources, too, would have to be created. Vast and rapid technological changes would also have to be skillfully woven into urban fabric and the city's economy made for more competitive than it is at present.

New Framework

Since conditions differ in different classes of cities, it is not desireable to lay down the same framework for all of them. Special structural changes required for metropolitan and other cities are indicated below.

Every *metropolitan city* should have at least three main levels of organization. At the top, there should be an apex body with the Chief Minister or Urban Development Minister as Chairperson[49]. On this body, there should be at least three representatives of the State legislature, one of Parliament and one each of the municipalities falling in metropolitan areas. Four professional experts in management and city planning should also be nominated to this body. The head of all functional organisations should be ex-officio members of this body.

[48]For acquiring full insight into the new problems, section of chapter IX dealing with the phenomenon of super-urbanisation and super-impoverishment of the urban poor may be seen, besides chapter VIII and relevant portion of chapter VII.

[49]In respect of great metropolises which also happen to be state capitals, this chairpersonship must be with the Chief Minister, as he/she alone is in a position to bring about effective coordination amongst various agencies.

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The apex body should lay down the entire strategy of planning and development and management of the cities keeping in view the long-term perspective. It should encompass all activities, including those relating to lands, housing, industries, traffic, transport, energy, environment, ecology etc. It should have the powers to allocate development funds to various agencies and to supervise and coordinate implementation of their programmes. All the agencies should obtain policy directions from this apex body, which should also be in control of all lands within the urbanisable limits of the metropolitan city and decide how best to use them for augmenting resources and financing development projects of various agencies. It should also have the authority to approve or disapprove or initiate tax proposals pertaining to municipal or functional bodies. The capital budget of all the agencies should also be controlled by this apex body.

The apex body should have a number of executive wings, and its chief executive officer should be a very senior functionary. He would function on the same pattern and principles as have been spelt out by me in this chapter's sections dealing with the *New Units of Management and Development*.

Below the apex body, there should be functional organizations[50] such as those dealing with water, electricity, transport. Each functional organisation should be headed by a technocrat of proven ability and manned by professionally competent staff. For internal working, the functional organisations should be autonomous but, for the purposes of policy and directions of development, controlled by the apex body. With each functional organisation, there should be attached a small advisory council of non-officials, preferably elected Municipal Councillors. These advisory councils should function on the same basis as the Consultative Committees of Parliament.

At least two more functional bodies should be added – one dealing with the collection of property and other municipal taxes;

[50]These functional organisations could be run by public or private companies, depending upon the conditions prevailing in a given area.

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and the second with the sanction of building plans and enforcement of by-laws and regulations.

At a level parallel to the functional organisations, there should be a municipal body or bodies which should deal with day-to-day municipal affairs, pertaining to sanitation, licensing, primary education, public health and the like.

The rationale of these proposals is that pressure of democratic opinion should be applied at the level of the apex body or at the grass-roots of the municipal body, leaving the intermediary functional organisation to run the administration purely on principles of professional efficiency. This will combine accountability with the requirements of efficiency and dynamism.

If functional organisations dealing with taxes are allowed to run on the lines suggested here, revenue will substantially increase, and this will enable the apex body to allocate resources at the points where they are needed most. At the same time, arbitrariness of functional organisations, if any, could be checked by the apex body. At the higher level, of course, the State Legislature will exert its own democratic pressure on the apex body.

New Legal Arrangements

As part of the new framework, new legal arrangements should be made with a view to avoiding undue interference from the civil courts and, at the same time, enabling the citizens to obtain redress of their grievances against misuse of authority. The jurisdiction of the civil courts should be barred. Instead, special tribunals should be set up. These tribunals should not have the powers to grant stay orders, but should have the powers to grant exemption from the requirement of levying court fees in suits claiming damages from the civic bodies or development authorities. The basic objective should be to ensure that the citizens' rights are protected and safeguarded against misuse of authority, while, at the same time, preventing the legal set-up to delay implementation of the development schemes.

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Cadres or Pools of Urban Administration

We must constitute separate cadres or pools for urban administrators and technologists. This would enable key personnel to acquire a long-term vision and commitment. Great cities, history has shown, have been built, not by birds of passage who "strut and fret their hour on the stage and then are heard no more" but by those who have creative and constructive capacities and get an opportunity to render long years of service. Barrun Haussmann remained Prefect of Paris for seventeen long years and made Paris what it is today – a pride of France and a picture of beauty, grace and order.

An Academy for Urban Administrators and Technologists

There is an urgent need for setting up an academy for urban administrators and technologists. This academy, besides imparting training and skills to senior managerial and technical staff, could also conduct and coordinate research in respect of human settlement technology. Personnel administration has been the weakest item of the city administration. The proposed academy could help in eliminating this weakness.

New Approach to Urban Land

Any scheme for restructuring or redesigning our cities will not yield the desired results, unless urban lands, especially those earmarked for future development, are owned by the public authorities. Comprehensive planning is a popular term with our planners. But hardly any one realises that comprehensive planning without comprehensive control over lands is not feasible. Edward Carton, author of the well-known book, *The Future of London*, has observed:

> Most of the greatest achievements of urban planning in any city, anywhere in the civilized world, have been where one authority has had complete control of the city land, or at least of large enough areas to make comprehensive development possible.

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Urban land is a valuable resource, and it must be ensured that full benefits of the infrastructural investment made by the public authorities are reaped by them and surpluses utilised for creating socially balanced and environmentally healthy communities. "For no other form of property", says J.K. Galbraith, "is the case for public ownership as strong as in the case of urban lands. It is the commanding heights on which more than anything else the quality of future urban development depends."

The only effective method, at the present stage of our social development, is to bring about direct control over the urban lands. All the lands needed for future expansion of the city or redevelopment of the older parts should be acquired, by a simple legislative procedure, and brought under public ownership. Such lands, after full or partial development, should be leased to individuals, societies, private and public corporations and other institutions, in accordance with the Master Plans and zoning regulations etc. The allottees could construct their buildings on the allotted plots, using their own skill, enterprise and resources.

This approach has many advantages. It is simple to understand and implement. It facilitates distribution in accordance with the needs of different sections of the community. It equalises the impact of planning on the erstwhile landowners as everyone gets compensation on the same principle, irrespective of the use prescribed under the city plans. It checks hoarding and speculation and black market in land. It safeguards the future and secures long-term planning objectives. It provides valuable resources to public authorities from the rising values of land and enables them to invest surpluses for developing infrastructure and other community facilities, such as green areas. It also helps public authorities to ensure that issues pertaining to environment and ecology are taken care of at the time of allotment of land, allowing at the same time the private sector to do most of the construction.

It is because of Delhi's Land Acquisition and Development Policy and Projects, covering about 70,000 acres of land, initiated in the late sixties, through the agency of the DDA, and its effective

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implementation that, starting with a small revolving fund of Rs.5 crore, about Rs.1500 crore have so far been generated and lakhs of poor, low income and middle income people provided with plots and houses and thousands of acres of woodland and parks created not only as 'community green' but also as a protective shield for several hundred monuments.

Some of the biggest residential colonies of the world like Naraina, Mayapuri, Janakpuri, Vikaspuri, Ashok Vihar, Shalimar Bagh, Pitampura, Yamuna Vihar, Vivek Vihar, Rohini, Saket and Pushp Vihar have come into being alongwith 3 lakh flats built by the DDA, and 2 lakh flats built through 900 cooperative housing societies and 3.4 lakh plots through plotted schemes of the DDA. The great city forests like those of Hauz Khas (400 acres), Tughlakabad (700 acres), Jahapanah (340 acres), Chirag Delhi (100 acres), Sanjay Van (530 acres), Shooting Range near Adilabagh (200 acres) now serve as the healthiest lungs for the metropolis. Ten regional parks, 104 district parks, 190 neighbourhood parks and 38 sports centres make their own contribution in preserving its environment and ecology. No private acquirer and developer of land would have entertained such a comprehensive vision or taken care of housing for the poor or green areas for the community.

I can assert from personal experience that whatever success Delhi has been able to achieve in regard to the provision of social goods has largely been due to its acquisition policy. And whatever failures it has encountered are largely attributable to the obstacles created in the acquisition and disposal of land by the powerful lobby of land-mafia, speculators and general grabbers of public spaces. It is both tragic and ironic that this lobby first instigates illegal occupation of lands acquired or under acquisition and then propagates that public authorities cannot protect their properties. Superficial reports in the media and general public ignorance of the basic issues involved are taken advantage of by this lobby.

Advance acquisition of land, or creation of land bank, is also opposed by a section of the people who pose as friends of farmers and cultivators. It is usually argued on their behalf that their lands

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are acquired at low prices and subsequently disposed of at high prices. Prima facie, the argument is appealing, but it cannot stand the test of closer scrutiny. The high prices to which the reference is made usually pertain to a small percentage of the total land acquired. For instance, in Delhi, commercial areas, not more than 1 per cent of the total land acquired, has been put to auction. Yet the impression created is that all lands are sold at fabulous prices. About 10,000 hectares of land which has been paid for at the market value, as determined by the courts, has been kept green, and is seldom spoken about.

Criticism of acquisition also misses the vital point that urban lands at reasonable prices are required largely for the rural population which moves into the cities as migrants. It is the propaganda of the vested interest that causes misunderstanding. Experience shows that the land at the periphery of the city, or the land likely to be urbanised, hardly remains with the farmers or the cultivators. These lands pass into the hands of urban speculators who buy lands from the farmers at what seems to be an attractive price but is nothing compared to the prices at which the speculators or private developers would sell. By the very nature of his operation, the private developer does not bother about the future or about the socially most efficient form of urban development. He is not keen to provide urban services on a large scale and looks merely to the area under his ownership. His clientele is also limited to high income or upper middle income group. And the damage is compounded by the fact that in our cities most transactions of this nature take place in the black market. In this process, both the farmer and the city developing authority suffer. The racketeers gain.

A sound and just approach is to absorb the farmers and cultivators in the process of urban development which is highly employment generative. It is estimated that even if 10 to 15 per cent of the employment created by the process of urban development is reserved for the erstwhile land-owners and cultivators and their dependants, and at least one residential plot or flat is allotted to them, at fixed price, they would be fully absorbed in new opportunities and would be better off than in their erstwhile profession.

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In this advocacy of acquisition of land and freezing of land values at a given time, no ideology is involved. It is a practical necessity for our cities. Both Hong Kong and Malaysia have resorted to large-scale acquisition of land. There is hardly any development authority in the world which enjoys as much power as Malaysia's development authority. It can acquire land or any other right connected with land or building complexes.

It is time that the whole matter is seen in the right perspective and land acquisition policy is adopted as a fundamental policy to tackle the manifold problems that our cities are facing at present and would be facing in future.

Technological Adaptation

Technological innovations can play a revolutionary part in shaping the future of our cities. So far not much thought has been given to the *human settlement technology* – a technology specially designed to solve the problems connected with our human settlements, such as problems of improving and managing the civic services, of constructing inexpensive houses and roads, and of conserving energy and developing special water and waste technologies.

There is no reason why India should not be able to evolve its own technological devices to solve the problem of its cities and give them a new shape and form. India, with its vast technical manpower and scientific skill, is capable of technological innovations. Only a sense of direction and purpose is required.

Let me, for example, take the case of a resettlement colony, or a deprived area, or a slum. Two of the basic environmental problems of such areas are: disposal of human waste and use of charcoal energy. All cooking is done through inferior quality of wood and coal. This creates the nuisance of smoke which is highly injurious to health. If a technology could be developed by which human waste is converted into energy and supplied through a simple pipe to the dwellings of the resettlers, the problem of waste disposal and the problem of meeting energy needs could be simultaneously

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solved. A huge liability could thus be converted into valuable assets and the quality of life improved radically.

Another example is the construction of inexpensive houses with mud or with sun-dried mud bricks and thatched roofing treated with special chemical solution to make them rain-and-fire-resistant. By using a suitable mix of appropriate architectural elements, structural techniques, stabilisation measures and care in siting, mud buildings can be successfully built in almost all types of climatic regions, and with proper care and maintenance, they should last for decades.

This type of human settlement technology will be of special help in setting up economically productive and environmentally clean migrants' colonies. Through technological innovations, these colonies could produce their own energy, construct their own shelter units, set up their own work place, and also operate on a human scale. For day-to-day needs, they could be self-supporting and self-sustaining, and yet linked with the overall network of the metropolitan life.

Small and Medium-Size Cities

The metropolitan and large cities should be governed by the new framework outlined above. In respect of small and medium-size cities which do not call for high-level coordination, the pattern should be different. At the same time, the municipal bodies of these cities should be advised to incorporate the general principles, set out above, in their policies. MAYOR

All matter pertaining to civic life and planning for future should be assigned to the municipal body of the city concerned. Its functional and financial domains should be clearly defined and full autonomy accorded to it with regard to items falling within these domains. The Mayor or the President or the Municipal Body through its Committees would be overall in-charge of civic affairs and take all policy decisions, frame and sanction budgets and fix targets to be achieved by the staff. But the responsibility for day-to-day administrative and development work would be entrusted

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entirely to the Chief Executive Officer who would function on the same pattern as has been proposed by me for the New Units of Management and Development. The Chief Executive Officer should be assisted, amongst others, by a professionally qualified town-planner and architect whose main duty would be to formulate a Master Plan as well as Neighbourhood Plan. The Master Plan would serve as guide for establishing planning and building controls and also for outlining directions for future development. The Neighbourhood Plan would deal with the planning problems in the neighbouring areas which would require coordination at the Zilla Parishad level.

Internal Restructuring

Office and field organisations of municipal bodies need to be radically overhauled and made service and result oriented. Quality and not quantity should be the guiding star. Land records and accounting system need to be computerised. So should be the case with regard to levy and collection of property and other municipal taxes.

Under a special scheme, the expenditure on which could be shared by the Central and State Government and the local bodies concerned, a group of experts or consultants, could be appointed to carry out internal restructuring and for preparing the new manuals of work. The question whether certain services in a local body should be privatised, in part or in full, could also be decided on the recommendations of such a group.

Old and Historic Portions of Our Cities

The old portions of historic cities are like valuable pieces of art that need to be handled with a great deal of care and imagination. They should be saved not only from the misguided enthusiasm of modernity but also from the pressures of speculators and profiteers. We must preserve their skyline, their street pattern and their general compactness. At the same time, we must heal the wounds which

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history has inflicted upon them. Their over-congestion should be removed and the old atmosphere of order and elegance recreated.

To ensure that these ends are attained, we must make separate laws and bye-laws for old and historic portions of our cities and not restrict action to conserving merely a building or two.

From what I have discussed above, it follows that the blueprint of the reformed set-up of governance which I am proposing at the municipal level would involve a new urban land policy which treats land as a source for creating socially and environmentally harmonious communities; a new framework of urban institutions which answers the current and emerging requirements of growing metropolises; a new cadre of urban administrators who have the training and motivation to meet new challenges; a new human settlement technology which promotes technological adaptations and focuses on special problems of poor urban migrants; and a comprehensive programme which aims at internal restructuring and modernisation of small and medium size civic bodies.

Despite severe limitations, there is a 'brave new world' of urban opportunities. We must have the vision to use them. Our skill and determination can change our liabilities into assets. The neglected migrant of today can become the urban pioneer of tomorrow, and make our cities places of peace and productivity, of progress and prosperity. For all this, however, we require a new environment, a new set of urges springing out of the rekindled power of the Indian mind and her reawakened soul.

XI. CORPORATE GOVERNANCE

As I have made clear in the *Introduction* to this book, the term *governance* has a vast span. It encompasses every institution and organisation from the family to the state. When seen as an elevated ideology of service to the nation, it would mean a mechanism in which all public power and public wealth are channelised in the direction of achieving maximum public good. In this context, the significant role which an efficient and enlightened corporate governance, both in the public and private sectors, can play in the

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matter can hardly be over-emphasised. In the current scenario, in fact, it would be no exaggeration to say that "business is becoming the most dominant institution on the planet".

Welfare State

In our country, the terms socialism, planned economy and welfare state have generally been used synonymously. In essence, it implies a state which acts as an instrument for establishing not only political but also economic democracy. It endeavours to serve the common interests of the common man and meet the essential needs of the people in matters of employment, education and health care. It is neither a *laissez faire* state nor a totalitarian state. It takes a wider view of its obligation and believes in positive use of its powers in reducing economic inequalities and ending social evils. Its basic inspiration comes from humanism and it aims at avoiding ruthlessness that is inherent in both capitalism and socialism. The 'Directive Principles of State Policy' in the Indian Constitution are rooted in this inspiration.

To my mind, it is a mistake to scorn the concept of welfare state as is being done at present by a number of opinion-makers in our country. *In the songs that are being sung loudly in praise of privatisation and deregulation, we should not forget the soft and soothing music that the welfare state could provide to the deprived and disprivileged masses of India. Its healthy features, apart from being in tune with our ancient ethos of non-acquisitiveness, have special relevance for fighting forces of social obscuranticism as well as those of economic exploitation.* We would do well to remember what McCulloch has said: "The principles of *laissez faire* may be safely trusted to in somethings but in many more it is wholly inapplicable and to appeal to it on all occasions savours more of the policy of a parrot than of a statesman or a philosopher".[51] Nor should we ignore the weight in Keynes' observation: "It is better that a man should tyrannize over his bank balance than over his fellow citizens".

[51] Quoted from L. Robbin's : *Theory of Economic Policy*

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Even the most hardened capitalist state committed to the ideal of *laissez faire* has been impelled to assume the role of a welfare state at the time of economic distress. President Franklin Roosevelt's New Deal, introduced during the Great Depression of the early thirties of the twentieth century, is a classic example of this phenomenon. Apart from extensive regulations and controls to which the economy was subjected, a large number of social services and welfare works were undertaken by the federal and state governments. In our newly acquired zeal for neo-liberalism, we should, therefore, not abandon the ideals of a welfare state but deploy them judiciously. *Our approach should be to use the 'visible hand' to make up for the weaknesses of the 'invisible hand'.*

Welfare state was the objective which India sought to achieve after independence. It was thought that massive problems of poverty, ignorance and disease could be tackled only by the massive intervention of the State in economic and social spheres. It was also believed that the state alone could arrange the resources and organisations for providing infra-structure on the scale required. The position in this regard was clearly enunciated in the Industrial Policy Resolution, 1956:

> The adoption of the socialist pattern of society as the national objective as well as the need for planned and rapid growth require that all industries of basic and strategic importance, or in the nature of public utility services should be in the public sector. Other industries, which are essential and require investment on a scale which only the State, in present circumstances, could provide, have also to be in public sector. The State, therefore, is to assume direct responsibility for the future development of industries over a wide area.

Public Sector Corporations

In pursuance of the above thinking, a policy of central planning was adopted and a large number of public enterprises were established. Doubts about the soundness of this approach were

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expressed, albeit in low tones, from time to time.[52] But by the mid-eighties these doubts had turned into disappointment. It began to be generally accepted that the pattern of 'command economy' was proving counter-productive and a large number of public enterprises were wasting resources of the State.

And, as has been noted in the earlier chapters, the crunch came in 1991[53] after which the process of liberalisation of the economy and dismantling of the public sector enterprises was initiated. Presently, 107 public enterprises, out of 227, are running into losses. A survey of public enterprises, undertaken in 2002-2003, puts the losses of these 107 units as Rs.10,944 crore.[54]

Here, it needs to be made clear that there was nothing basically wrong with the concept of the public sector. The failure was caused by the persons who ran it and by the political and social ethos of the country. In chapter VI, I have cited a typical example of a socially useful public undertaking being financially wounded by a recklessly corrupt action of a State Minister. Quite a few ministers, besides resorting to malpractices to secure petty personal and political gains, do not even care to appreciate that public enterprises are autonomous bodies whose management should be left to their boards. Unfortunately, delinquent ministers and other political elements are seldom called to account and it is the ideology of the public sector that is berated in public. When I took over as Minister for Tourism and Culture at the end of 2001, I found that over Rs.30 crore had been, despite reminders, due to the Ashoka Hotel

[52]The Reserve Bank of India, in its Bulletin of 1968, noted : "the average return on the capital was 3.5 per cent compared to 10.30 per cent in the private sector companies".

[53]In fact, economic governance in India has passed through four distinct stages. These are : (i) the Receptive Phase of Foreign Investment, 1948-67; (ii) the Restrictive Phase 1968-79; (iii) Gradual Liberalisation Phase 1980-90; and (iv) Liberalisation and Globalisation Phase, 1991 onwards.

[54]Such losses have primarily been due to 'excessive interference', 'excessive staffing', 'excessive wages' and excessive disregard of disciplinary norms. Despite poor labour productivity, the average monthly wages of an employee in the public sector, as in 2001, was $400 as compared to $27 in the unorganised sector.

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PSU's failure due to petty considerations of Political parties.

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for over three years for parties and meals which were ordered orally by different Ministers and leaders of political parties. Should unsavoury politics of the country or the concept of public sector be held responsible for such a state of affairs?

As elaborated in chapter I, titled: 'Crisis of Governance', we, as a nation, have adopted an attitude of transferring shortcomings of our social and political ethos to the conceptual frameworks. It will, therefore, be an error, from the point of view of long-term healthy governance, not to attend to the spheres where the real malady lies. Nor should we forsake the need for keeping a few lean and focused public enterprises in key areas of economy, defence and national security.

A number of countries, including highly industrialised ones, who are wedded to the ideology of liberal economy, are keeping large public enterprises and running them successfully. The examples of this genre are: EoIF, a power-distribution and generation company, France; ENI, a group of companies concerned with energy, Italy; Volkswagen, a motor vehicle undertaking, Germany; Temasek, an investment agency, Singapore; and Baosteel, a steel producing company, China. It is also worth noting that in most of the market oriented countries, the expenditure on public sector increased from 25 per cent of the total in the mid-1950s to 50 per cent in the mid-1980s, thereby showing that the governments in these countries have been assuming responsibilities in more and more areas.

Another significant feature of the present scene is that, of late, a number of our public sector corporations have been performing very well. The Survey of 2002-2003, quoted earlier in this section, has revealed that, out of 227 public corporations, 120 were making profits, and their total gross profits were Rs.1,00,918 crore – an amount which was equivalent to 24 per cent of total capital invested in these companies. The efficient functioning of some of India's public corporations, like the Oil and Natural Gas Corporation of India, which is reckoned among the largest 500 companies of the world, has been exemplary.

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In the arena of economic governance, which would constitute a vital part of the overall new pattern of governance that I am proposing, a lean and vibrant public sector, limited to key areas of economy and national security and run on the principles outlined earlier in this chapter under the sub-head 'New Unit of Management and Development', is a must. It is necessary not only for keeping the Indian hands on the levers of economic sovereignty and preventing disguised monopolies and cartels from being created but also for facilitating speedy expansion of private enterprises which would not be able to arrange infra-structural facilities on their own.

Private Corporations

Following liberalisation in 1991, a great deal of churning took place in the Indian Corporations. The industrial and business landscape of the country underwent a radical change. The old and well-established companies like Tata, Birla, Godrej and Bajaj, which had prospered earlier under the protective cover of the old policies, quickly reworked their strategies to remain in the forefront of Indian business. At the same time, a number of new actors, such as Infosys and Wipro, appeared on the scene. They had new ideas and a new sense of mission. The multi-national companies, too, came in. They either entered into joint ventures with Indian companies or set up fully owned subsidiaries. All this injected unprecedented dynamism in the Indian market. The business increased by leaps and bounds. The extent of increase can be seen from the fact that during the ten years, 1992-93 to 2001-02, the consuming class[55] increased from 11.60 million to 27.50 million in urban areas and from 13.10 million to 25.90 million in rural areas. In the same period, the rich class[55] increased from 500,000 to 2.10 million in urban areas and from 300,000 to 1 million in rural areas. In the first half of the

[55]The consuming class is taken as one falling within an annual income range of Rs.45,000-Rs.215,000. Anyone having annual income of more than Rs.215,000 would fall in the category of the rich class. The data given here is based upon the reports of *Business Today*.

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year 2002, about 3141 branded products were launched or relaunched.

This vigour and buoyancy of business notwithstanding, fundamental reforms, including those of attitudes and motivation, and bringing about fair business practices, are urgently needed in the functioning of private sector enterprises. Some of the glaring infirmities noticed in their working are listed below.

First, private sector enterprises have made *little contribution to removal of poverty* in the country. A number of studies have revealed that "there is virtual zero correlation between growth rates and (share weighted) growth elasticities of poverty across states in India in 1990s."[56] During this period, despite comparatively higher growth rate, there has been decline in the growth rate of employment.[57] The poor have not benefitted. On the other hand, the new phenomenon of super-urbanisation which is accompanied by super-impoverishment of the urban poor and of which a comprehensive picture has been drawn in chapter VIII on Urban Governance, had further lowered the quality of life of the poor in the cities. So far as rural poverty is concerned, there has been virtual stagnation, consequent to declining trend in agricultural growth in most states. One of the Oxford Development Studies – *An Analysis of India's Reforms Dynamics (2004)* – concludes that non-agricultural growth in the post reform period has not been enough to offset slower growth in agriculture.

Secondly, the *problems of poor productivity and internal deficiencies* have persisted. It has been noted that the "surpluses generated by most corporations have typically not been 'economic profits' based upon innovations but 'rents' which have emanated from market imperfections, market manoeuvres and state policy". Growth in

[56]The study made by Datt, Kozel and Ravallion is one such study. It has been referred to in the article by Ananya Mukherjee et al. (p.58) published in the book, *Corporate Governance, Economic Reform and Development*, edited by Darryle Reed and Sanjoy Mukherjee. These quotes are from the said article.

[57]The details of the unemployment situation in the post-reform period (from 1991 onwards) have been given in chapter VII in the section dealing with the economy.

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employment, wages and aggregate demand has not occurred to the extent desired.

Thirdly, *neither the norms of ethics nor those of efficiency* have marked the working of most of the private sector enterprises. They have together defaulted in re-payment of about Rs.110,000 crore of loans raised from the banks in whose accounts they are termed as 'non-performing assets'. Not unjustifiably, the phenomenon has been labelled as the 'Great Indian Bank Robbery'. The magnitude of the public capital lost or locked can be imagined from the fact that the amount involved could finance at least one school in every village of India.

Fourthly, *unfair business practices* are galore, and frequency of scams, scandals and swindling has increased. Some of the items of reforms have been abused with impunity. According to the Economic Times of August 8, 1994, by misusing 'preferential share options', between the period 1992-1994, thirty top foreign firms and ten major Indian firms netted, through sheer manipulation, Rs.300 crore and Rs.1,500 crore respectively. Again, between the period March 1999 and March 2001, as a consequence of the stock market scam, five overseas corporate bodies, which had a total investment of Rs.777 crore, remitted Rs.3,677 crore outside the country.[58] The worst was, perhaps, the UTI Scam (2001) which was largely caused by doubtful investments and bail out of influential but chronic industrial defaulters. This aspect of the scam was clearly brought out by the Joint Parliamentary Committee in its Enquiry Report. It said:

> Investment decisions in UTI were not always prudent or in accord with the interests of the investors. UTI's competitive environment was constantly changing and 1993 onwards successive governments very well realized that UTI had to be revamped to keep pace with change but did not take effective measures on this front, as they did not wish to lose control

[58] These facts were revealed in the preliminary report of the SEBI on this scam.

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over it. A combination of lack of urgency in successive governments, abetted by self serving and negligent management in UTI and inertia in the Ministry of Finance undermined a public financial institution by directing its investment and lending decisions in favour of dubious private sector promoters in the name of reviving the capital markets, ignoring the fact that the purpose of UTI was to serve the interest of unit holders, specifically individual unit holders or small means.

The observations of the Joint Parliamentary Committee with regard to the Stock Market Scam were similar:

> Equally, supervisory authorities and coordination bodies, such as the Ministry of Finance and High Level Coordination Committee should have been more pro-active and vigilant in recognizing that liberalization requires strong and effective regulation and greater autonomy for regulators must go hand-in-hand with the accountability of regulators to the country through the Ministry of Finance which, in our scheme of constitutional jurisprudence, is responsible to Parliament for the financial health of the economy, including sectors regulated by statutory and other regulators. Moreover, the Ministry of Finance, the Regulators and all others concerned had the benefit of the voluminous and detailed Action Taken Reports submitted by Government to Parliament on the numerous recommendations of the 1993 Report of the Joint Committee on irregularities in securities and banking transactions. Concerted mutual interaction between Government and the Regulators, especially through the institutional mechanism of High Level Coordination Committee, could have signally contributed to effective pre-emptive and corrective action to forestall or moderate the scam by the early detection of wrong doing.

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The above observations show how manipulative or casual minds have made inroads into the machinery of governance in general and that of corporate governance in particular and how various agencies have not learnt any lesson from the earlier scam of 1992 regarding fraudulent transactions in securities and banking. Unethical practices are, in a sense, inherent in the current commercial climate[59] which props up temptations to make maximum money in the minimum time by adopting the shortest route even if the route passes through prohibited areas. Neither the government nor the regulatory authorities have done anything to improve this climate. The enlightened corporate leadership, too, has not taken any worthwhile initiative in the matter.

Fifthly, the level of *social responsibility* shown by the private sector enterprises has been generally very low. Few of them have realised that business has to go beyond economics. Leaving aside the striking case of the Tata group which was the first to win worldwide reputation for being sensitive to social responsibility and a few other cases like those of the Birla and Bajaj groups, Infosys and Wipro, private corporations in India, have made only nominal contribution in this arena.

Sixthly, the private enterprises have been making negligible *investments in research and development*, though they have been enjoying significant tax concessions in this regard. Recent researches have shown:

> The growth rates of real private sector R&D expenditure (at 1980-81 prices) has decreased considerably between 1974-75 and 1994-95. The aggregate expenditure ratio across all industries has decreased from 17.1 per cent during 1974-80 to 7.1 per cent during 1991-95. Similarly, R&D to sales ratio

[59]It is largely due to a climate of this nature that a number of serious scams and scandals occurred in USA in such well-established companies as Enron, WorldCom, Xerox and Merck. There has been a growing tendency to misrepresent facts. A recent study has revealed that about 100 NASDAQ companies had, in the first nine months of 2001, shown proforma earnings which exceeded their audited profits by about $100 billion.

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declined marginally from 0.76 per cent in 1974-75 to 0.70 per cent in 1994-95. In twelve out of twenty-eight industries, real R&D expenditures declined. In six out of twenty-eight industry groups, the rate of growth of real R&D expenditures was positive in the 1990s, but lower than in the late 1980s. More importantly, even in industries where real R&D expenditures have risen, the R&D to sales ratios have either stagnated or declined.[60]

Seventhly, the mechanism to regulate the business activities of private enterprises has proved *too effete to prevent manipulation of the liberal regime by crafty minds.* Nor has it been able to dispel the widespread impression in the public that the powerful business houses could get away with anything and wire-pulling by politicians from behind the screen was prevalent to the same extent, if not more, as in pre-reform regime. With every crisis in the stock market, the SEBI has been asking for more executive powers and greater autonomy, but its request has been turned down. "The problem", it has been noted, "is one of power and of a historical relationship between State and business".[61]

Ideal Pattern

In the new structure of corporate governance in India, not only have the infirmities noted above to be removed but also an ideal pattern conceived and brought into being, which would give India a position of pride in the world of business and enable her to act as a pace-setter in the new areas that are fast emerging consequent to globalisation and technological changes. This pattern must rest on a few basic principles.

Apart from fulfilling the obligation of maximising the value of its share-holders, the ideal corporation must have an inspired vision, a long-term policy and programme. It must not look for short-cuts but

[60] *Source*: Research and Development Statistics (various volumes), Department of Science and Technology, Govt. of India, New Delhi, cited in Besant, R., "Corporate Response to Economic Reforms", Economic & Political Weekly. March 4,2000.
[61] Mukherjee & Reed: *Corporate Governance, Economic Reform and Development* (2001).

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weave the overall needs of national development into its goals. It must devote a good part of its resources to research and know-how to remain economically vibrant, socially sensitive and ethically above board. Further, it must have a leadership with a powerful mind and an awakened soul who has perfected the art of making use of the collective wisdom of its employees without losing sight of the fundamental need for imparting its own drive and dynamism to the organisation and serving it as its guide and philosopher.

That it is not impossible to put the above principles in practice is shown by the recent example of a Finnish Company, Nokia, about whose performance latest data has been published in the *Global Information Technology Report, 2003-2004*. It accounts for about 3 per cent of Finland's GDP, about 20 per cent of its export, and about 35 per cent of its total Research and Development expenditure. It provides employment to about 53,000 persons of whom about 20,000 work in the country. The company has also earned a high reputation for its social responsibility and fair business practices.

At home, too, we have a few notable cases. Infosys, a reputed Information Technology company, is an outstanding example of synthesising some of the finest values of Indian culture with those of a modern and forward looking business enterprise. Its case shows how a leader with a powerful mind, a passion for performance and respect for values of simplicity, fairness and humility can create a world class company[62] which serves the interest not only of the shareholders but also of the employees and the society at large. The Company's Chairman, N.R. Narayana Murthy, a person of humble origin – his father was a school teacher – cherishes values rooted in ancient India's nobility of temper as well as modern business ethos. He says: "If the employees subordinate their personal interest in favour of the larger interest – the interest of the company

[62]Infosys has been making rapid strides largely because of Narayana Murthy's creative and mission-oriented leadership. For example, in the first half of the year 2000, it registered 100 per cent growth in sales and 122 per cent in profits. It hired about 3,000 additional persons during the said period.

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and the interest of the community at large – all would be better off eventually. Serving the company's interests is a step towards creating a civilized society ... We have demonstrated that there is good in actually doing what we say. For example, all our doors are always open. It is a meritocracy, there are no groups in the company. There is fairness in every decision."

Wipro is another excellent example of a corporate house where business is viewed in the larger perspective and ancient Indian values of non-acquisitiveness and nobility of approach are respected. Its Chairman, Azim Premji[63] says, "I believe that the purpose of any business is to serve the interest of all its stakeholders – shareholders, customers, employees and the society at large – and ensure their interests are truly aligned. In the ultimate analysis, it is the trust that constitutes the soul of business – Trust not only unites all stakeholders but also builds a firm linkage with the rest of the society". Earlier the Tata House had become a model of welfare-oriented business enterprises. JRD Tata was never tired of emphasising: "No success or achievement in material terms is worthwhile unless it serves the needs or interests of the country and its people and is achieved by fair and honest means."

To me, it seems absolutely necessary that the new corporate India must have a distinct flavour of its own, and every corporate house must endeavour to become the ideal corporation I have described above.

To explain what I mean by distinct flavour, let me give an example of a Japanese corporate body. This example has been cited by F. Trompenaars, a noted management analyst, in his book *Riding the Waves of Culture:*

> Jean Safari was investigating a serious error made by a Japanese subsidiary of a US multinational. A component had been inserted upside down and the entire batch had been pulled out of production to be re-worked. The cost of this was high.

[63] Azim Premji is presently India's richest man. On a good day in the stock market, his wealth touches $13 billion. And yet his life-style is modest, and he spends a good part of his wealth on spread of high quality education in the rural areas.

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Jean asked the Japanese plant director about which employee had made the error. Had she been identified? What action was being taken against her? She was amazed when the director claimed not to know. "The whole work group has accepted responsibility", he told her. "As to the specific woman responsible, they have not told me, nor did I ask. Even the floor supervisor does not know and if he did, he would not tell me either." But if everyone is responsible then in effect no one is, Jean argued. They are simply protecting each other's bad work. "This is not how we see it". The plant manager was polite but firm. "I understand the woman concerned was so upset she went home. She tried to resign. Two of her co-workers had to coax her back again. The group also knows that she was responsible and she feels ashamed. The group also knows that she is new and that they did not help her enough, or look out for her, or see that she was properly trained. This is why the whole group has apologized. I have their letter here. They are willing to apologize to you publicly".

Likewise, the Indian Corporate world must acquire a distinct flavour of its own. This flavour should emanate from its attitude of treating a business house and the society as parts of the same organic entity, of believing that the advance of one without that of the other cannot last, and of balancing values of personal non-acquisitiveness with those of wealth creation for all.

Creation of suitable environment and setting up of suitable institutions, which would facilitate the birth and growth of ideal corporations, should constitute the core of the efforts for the reform of corporate governance in the country. These efforts, it hardly needs to be emphasised, would have to be put in jointly by government and business, industry and labour. In the ultimate analysis, however, a determined and motivated political leadership would be needed to provide the coordinated and decisive thrust to the whole process and bring about the ideal pattern or its nearest approximation.

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Ad hoc amendments of existing laws or enactment of new ones or appointment of ad hoc committees like the Naresh Chandra Committee may result in slight improvements here and there. *But the fundamental challenges of corporate governance can be met only by a thorough and simultaneous reorganisation of all its components and a thorough upgradation of current corporate values. The 'no-holds-barred, trample-over-anybody, get-what-you want' approach that is being generally followed these days must be straightaway denounced and checked with a firm hand by the industry itself and also by government and autonomous authorities like regulators. All agencies concerned must focus on having, both in the public and private sectors, corporations in which business vision, business ethics, business efficiency and business service to the shareholders and overall service to the society and the nation are creatively synthesised and balanced.*

In the present-day globalised world, Gandhi's concept of 'trusteeship'[64] may not be workable. But its underlying spirit must be imbibed by the Indian corporate world. Gandhi had made it clear:

> ... there is no other choice than between voluntary surrender on the part of the capitalists of superfluities and consequent acquisition of the real happiness of all on the one hand, and on the other the impending chaos into which, if the capitalist does not wake up betimes, famishing millions will plunge the country which not even the armed forces that a powerful government can bring into play can avert.

XII. e-GOVERNANCE

The Information Technology Revolution which is currently sweeping the globe is bound to have a profound impact, practically

[64]Gandhi had immense faith in his concept of trusteeship : "My theory of trusteeship is no make-shift, certainly no camouflage. I am confident it will survive all other theories." Unfortunately, Gandhi did not find time to elaborate his concept or experiment with it.

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in every walk of life, including the way we learn, the way we earn, the way we run our economy, manage our politics and channelise our social and cultural life. Its range and pace can be seen from the data provided by the Global Information Technology Report, 2003-2004. According to this data, "Of the 6.2 billion people in the world, 1 in every 5 is a cellular mobile telephone subscriber, up from 1 in every 12, three years ago. In this period, the number of cellular mobile telephone subscribers grew 134 per cent. The number of internet users also multiplied exponentially – 119 per cent over the last three years".

If we provide the right direction and depth to the Information Technology revolution and inject equity and balance in its operation, we could not only solve our problems of poverty, ignorance and disease but also make our machinery of governance efficient, economical, transparent, entrepreneurial, innovative, participatory, honest and citizen-friendly. It is because of this positive potential of information technology that e-governance[65] must constitute an important item of the reforms agenda. This technology has already been applied with dramatic success in creating service-oriented systems. For instance, under the Railway Passenger Reservation system, one could buy or cancel a ticket "from anywhere to anywhere across the country at a single window". Another example in which the application of information technology has produced extremely beneficial result is the availability of a comprehensive on-line case-law library containing all reported judgements of the Supreme Court from 1950 onwards on different legal issues.

When measured in terms of its output and contribution to economic development, India's performance in the field of information technology has been remarkable. In the three years, 2001-2003, "the country added nearly 15 million main telephone

[65] In Government of India's E-Readiness Assessment Report, 2003, e-governance has been defined as "the application of electronic means in (1) the interaction between the government and citizens, and government and businesses, as well as (2) in internal government operations to simplify and improve democratic, government and business aspects of governance."

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lines, nearly 14 million internet users, 10.8 million cellular mobile phones, 10 million television receivers, 3 million cable television subscribers and 2.7 million personal computers."[66] On Networked Readiness Index, India ranks 45th in the list of 102 countries surveyed by the World Economic Forum. Today, the All-India Radio has a reach of 99 per cent and Doordarshan of 81 per cent of the Indian population. With the right kind of orientation, they could be effective instruments in providing socially relevant information to the people all over the country.

Far more impressive has been the growth of India's IT software and service industry. It increased from about Rs.475 crore in 1990-91 to about Rs.80,000 crore in 2002-03. It is estimated to go up to about Rs.3,24,000 crore in 2008-09.

The picture, however, is not so reassuring when India's position is viewed in the context of equity and applicability of Information Technology on the machinery of governance. The main culprit in this regard is the deep and extensive digital divide that has occurred over the years. The benefits of the above 'remarkable achievement' have gone mainly to a small section of IT literate Indians, particularly to those who are known as 'poster boys' of IITs. According to International Data Corporation's Report (2002):

> India's growing digital divide separates a narrow upper crust of 'band-width hungry urbanites' from the vast majority of their malnourished, illiterate countrymen, who may have to walk days just to get to the nearest working telephone. The major metropolises are at par with some of the developed countries but rural areas like Eastern Bihar and Orissa are worse off than several of the least developed countries.

Out of about 600,000 villages, only 8,000 have IT kiosks and these, too, work intermittently due to frequent power failures.

A survey conducted in 2003 showed that only 1.65 per cent of the total population of India had access to Internet. The corresponding percentage in other Asian countries was far higher :

[66]Source : The Global Information Technology Report, 2003-2004.

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54.3 per cent in South Korea, 51.3 per cent in Taiwan and 51.2 per cent in Singapore. Moreover, the access is concentrated in a few cities and regions only – Delhi, Bangalore, Mumbai, Hyderabad, Chennai, Southern Karnataka, Western Maharashtra, and some parts of Tamil Nadu. What is worse, inadequacy of supporting infrastructure would not permit any material change to occur in the near future. Take, for example, power without which neither computers nor internet can function. At present, per capita electricity consumption in India is 363 KW as compared to about 5421 KW in Britain and 11822 KW in the US. Similarly, if there is no all-weather road connecting the village of a farmer with a market town, information obtained on internet about the rate of his produce would be of little use to him.

In view of the concentration of IT facilities in few hands and in few regions and existence of infra-structural bottlenecks, our approach to the introduction of e-governance must be selective. The P.C. Hota Committee has identified 12 areas to which priority could be accorded. These areas are : (a) transactions relating to land (b) registration of documents (c) sales tax/excise/income tax/ service tax (d) issue of passports and licenses (e) payments of dues for electricity and water, and house tax and complaints relating to them (f) banking transactions and financial institutions (g) law and order, filing of complaints by citizens (h) complaints about quality/non-availability of services or mal-administration (i) grievance redressal (j) tendering and procurement processes (k) hospital services, and (l) admission in educational institutions.

It would be better to concentrate in a few areas, achieve a thorough success with regard to them and project them as models for other areas to follow. It would help in creating a culture and climate conducive to the spread of e-governance all over the country. Such e-governance cannot be brought about by merely installing web-sites; the attitudes, too, have to undergo a fundamental change. In the current climate, these 'sites' could provide wrong information. For example, Parliament's web-site showed in May 2003 that Shri K. R. Narayanan was the President of India, though he had

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ceased to be so about a year earlier. In this connection, it has also to be taken into account that not only have officers at various levels to be thoroughly trained in the wherewithal of information technology and new procedures of work, but citizens have also to be prepared to receive the facilities provided by e-governance.

Nor should it be forgotten that information technology is merely a tool, an instrument, of bringing about a more beneficial governance. In what manner and to what extent the benefits would be used would depend upon human capacities. Special efforts should, therefore, be made to create a higher vision, stronger will and sharper intellect amongst the civil services. The National Informatics Centre and the National Institute of Smart Governance and other institutes of higher technological learning, research and training need to be expanded and upgraded immediately. The emphasis has to be capacity building and creation of additional competencies.

A key goal which the reformed set-up would have to pursue relentlessly is to make the most creative use of Information Technology in different arenas of governance and to integrate this technology with new procedures of doing work to build an overall productivity and service oriented system. An ideal organisation which could serve as a vibrant laboratory for innovative experimentation and also as a role model would be 'the New Unit of Management and Development' of the type that I have suggested earlier in this chapter.

XIII. COMBATING CORRUPTION

In chapter VII,[67] I have already analysed in detail the vast dimensions of the problem of corruption in India's public life and also explained how with every step taken to curb it, the malady has been making deeper and deeper inroads. In the said chapter, I have also given expression to my belief that for removal of corruption, what matters most is the suitable social and moral climate. Nevertheless, it would be worthwhile to make a few more

[67]See section titled: 'Corruption'.

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attempts at the institutional level to eliminate corruption in high places through such measures as laws on Lok Pal and Freedom of Information.

Lok Pal

The attempts to establish the institution of Lok Pal commenced following the recommendation of the Administrative Reform Commission, made in its interim report in 1966 on the "Problem of Redress of Citizens' Grievances". A Bill called Lok Pal and Lokayukta Bill, 1968, was introduced in the fourth Lok Sabha. Since then, it has undergone eight attempts to secure Parliament's approval. On seven occasions, the Bill lapsed on account of the dissolution of Lok Sabha. On one occasion, it was withdrawn.

The salient features of the Bill, as it stands in its present form and awaits approval of the new Cabinet and its introduction to the Lok Sabha for the ninth time, are:

(i) Setting up the office of Lokpal for a fixed tenure. The Lokpal is a plural body consisting of-
   (a) a Chairperson who is or has been a Chief Justice or a Judge of the Supreme Court; and
   (b) two Members who are or have been the Judges of the Supreme Court or the Chief Justices of the High Courts.

(ii) With a view to ensuring that the Lokpal is able to act independently and discharge its functions without fear or favour, the Bill provides that the Chairperson or a Member of Lokpal shall not be removed from his office, except by an order made by the President on the ground of proved misbehaviour or incapacity, after an inquiry made by a Committee consisting of the Chief Justice of India, two other Judges of the Supreme Court next to the Chief Justice in seniority in which the Chairman or Member, as the case may be, had been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

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(iii) To enable the Lokpal to function effectively and in a quasi-judicial manner, the powers of the civil court in respect of summoning and enforcing the attendance of any person and examining him on the oath, requiring the discovery and production of any document and receiving evidence, etc. have been conferred on the Lokpal.

(iv) The Chairperson and other Members shall be appointed by the President by warrant under his hand and seal on the recommendations of a Screening Committee consisting of the Vice-President of India, as Chairman, Prime Minister, Speaker of the House of the People, the Minister in charge of the Ministry of Home Affairs in the Government of India, Leader of the House other than the House in which the Prime Minister is a Member of Parliament, the Leader of Opposition in the House of the People and Leader of Opposition in Council of States, as members.

(v) The Members of Parliament, Prime Minister and Ministers have been brought within the purview of the Bill but other constitutional functionaries such as Judges of the Supreme Court, the Chief Election Commissioner, Election Commissioners; etc. have been kept out of the purview of the Bill.

(vi) The Lokpal will inquire into complaints alleging that a public functionary as defined in the Bill has committed an offence punishable under the Prevention of Corruption Act, 1988 and expression "public functionary" covers the Prime Minister, the Ministers, the Ministers of State, the Deputy Ministers and Members of Parliament.

(vii) The Bill also seek to make special provisions for discouraging frivolous and false complaints.[68]

Some doubts have been expressed about the wisdom of bringing the Prime Minister within the ambit of the Bill. It has been argued

[68]This summary of the salient features has been given by the Department-Related Parliamentary Standing Committee on Home Affairs in its Eighty-Fourth Report, submitted on 31st December, 2001.

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that in the prime ministerial form of government that we have, the Prime Minister is the kingpin of the governmental structure and has to take many decisions which annoy powerful interests who in all likelihood would manipulate complaints against him to the Lok Pal, harass him and lower his standing in public. There is a substantial force in this argument. But it has also to be kept in mind that power in India has tended to get concentrated in the Prime Minister's Secretariat. If the Prime Minister or the Prime Minister's Secretariat is left out of the purview of the Bill, the objective of controlling "corruption upstream"[69] may not be achieved.

The National Commission to Review the Working of the Constitution, in its consultation papers on probity in governance, has suggested a safeguard : the requirement of taking the President's permission by the Lok Pal before proceeding with any investigation or inquiry against the Prime Minister. On the face of it, the suggestion is salutary, but a closer examination exposes its infirmities. If, for example, President's permission is asked for by the Lok Pal and the same is refused, the President could be accused of shielding the Prime Minister. It could involve him in public controversy and lower the dignity of his office. If, on the other hand, he grants permission, it could cause bad blood between him and the Prime Minister during the course of inquiry as well as afterwards in the event of the Prime Minister being exonerated. To avoid all such complications, it would, perhaps, be best to leave the Lok Pal to deal with the complaints against the Prime Minister without involving the President in the matter.

The proposed law could lead to quite a few other practical difficulties. It merely says that the conclusions drawn by the Lok

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[69]The expression – 'upstream' – was used by late Mahbub-ul-Haq, the world famous economist. He has noted: "South Asian Corruption has four key characteristics that makes it far more damaging than corruption in any other part of the world. First, corruption in South Asia occurs up-stream, not down-stream. Second, it has wings, not wheels. Most of the corrupt gains are immediately smuggled out to safe havens abroad. Third, it often leads to promotion, not prison. Fourth, it occurs with 515 million people in poverty."

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Pal would be communicated to the "competent authority". In the case of Prime Minister, the "competent authority" is the Lower House. The majority of the members in this House would be supporters of the Prime Minister. They could pass a resolution rejecting the conclusions drawn by the Lok Pal if these are adverse to the Prime Minister and ask him to continue in office. Likewise, if the Lok Pal records an adverse finding against a Minister and sends it to the Prime Minister who is the "competent authority" in the case of his Ministers, he could take the stand that he does not agree with the views of the Lok Pal and would not ask for the Minister concerned to resign. *Given the nature of politics that is emerging in the country, it is not unlikely that such cases could frequently occur, giving rise to bitter controversies and deeper political animosities. In the ultimate analysis, it has to be recognised that respect for high standards of public conduct or norms of constitutional morality cannot be substituted by law, howsoever well intentioned it may be. The law on Lok Pal or on Freedom of Information could help only if simultaneous action is taken to build an ethical state as explained in chapter XII. There has to be an atmosphere in which the decision makers are left with no option but to act in accordance with the spirit of the laws and highest principles of ethics.*

Freedom of Information

The merits of open and transparent governance are obvious. It helps in reducing corruption, arbitrariness and inefficiency. It promotes culture of accountability and enriches democracy. That is why almost all progressive and democratic states have laws on freedom of information. As far back as 1966, United States put Freedom of Information Act on its statute books. U.K. enacted its law in 2000. A number of other countries, such as Australia, New Zealand, Canada, the Netherlands, Ireland, South Africa, have also passed their own Acts.

In India, action was initiated in 1997, at the Central level, to have a similar law. A Working Group on Right to Information and Transparency was constituted on January 2, 1997, under the

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chairmanship of H.D. Shourie, a well-known social activist. On the basis of the recommendations made by this Group, a Bill, titled Freedom of Information Bill, was drafted. It was approved by the Union Cabinet and introduced in Parliament on July 25, 2000. It was referred to the Department-Related Parliamentary Standing Committee on Home Affairs. The Committee, in its seventy-eighth report submitted to Parliament on July 25, 2001, agreed with the main provisions of the Bill but made a few suggestions and observations. Before, however, the Bill could be passed, Parliament was dissolved. The Bill lapsed. Now it has to be considered by the new government and, if approved, introduced in the new Parliament.

It speaks volumes about our attitudes and procedures of handling work that a Bill on which there is near unanimity amongst the political parties has not yet been passed, though more than eight years have elapsed since the issue of freedom of information was taken up. Even the Supreme Court's observations that right to information was inherent in the right to freedom of speech and expression did not generate the promptitude that was warranted. So far as Lokpal Bill is concerned, it has already consumed about forty years.

The Bill, in its present form, "seeks to provide for freedom to every citizen to secure access to information under the control of public authorities, consistent with public interest, in order to promote openness, transparency and accountability in administration and in relation to matters connected therewith or incidental thereto".[70] It brings within its ambit all the courts, including the High Courts and the Supreme Court. It also covers Parliament, the State Legislatures, the Election Commission, the Comptroller and Auditor-General of India and the Union Public Service Commission. A few categories of information, such as those pertaining to integrity and security of the State and strategic scientific interest, have been exempted.

The conceptual framework of the Bill is sound and its aims and objectives are laudable. But if the manner of implementation of

[70]Department-Related Parliamentary Standing Committee's Report (July 25, 2001).

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earlier laws passed to combat corruption and ensure accountability is any indication, it is unlikely to yield the results sought for. On the other hand, the proposed law, if administered in routine, could add to the tyranny of a 'Kafkaesque world of papers' and create a heavier bureaucratic mechanism.

The crucial issue is the present poor state of health of the Indian society and the continued deterioration of its political values. In the circumstances, the proposed laws like those on the Lokpal, Freedom of Information and 'whistle blowing'[71] *may solve less and create more problems.*

One of the reasons for the failure of the public sector enterprises in India was that false complaints were engineered by caucuses of labour unions against top management whenever it resisted unreasonable demands or took action against indolent or indisciplined or corrupt elements. Given the political connections that such unions developed, it was the top management that found itself being inquired into by the CBI or the State Vigilance department. Exasperated, it gave up. And, consequently, corruption and indiscipline increased. In a society virtually saturated with corrupt political and social ethos, there is more activity in levelling allegations against the honest than in fighting corruption. I have seen a number of well-meaning officers giving good reports to corrupt elements on account of fear of getting into trouble.

Where is the guarantee that appropriate and effective action would be taken if information about any wrongdoing is made available? Who, for example, does not know that our cities are being brutally ravaged by the open defiance of our civic and environmental laws? Who is unaware of the illegal activities of land and building mafias? And who is ignorant that these mafias enjoy the support of powerful elements in politics and bureaucracy? Basically, it is not the lack of information but lack of honest commitment that is at the root of the problem of corruption in our public life. Tragically, India is poisoned at the heart and contaminated at

[71] There is a proposal to enact a Public Interest Disclosure or Whistle-Blower Act, which would protect public employees who expose malpractices within their organisation.

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the soul. For the new design of the institutional set-up to yield results, simultaneous and vigorous action to drain off this poison and remove this contamination must be taken.

XIV. MEDIA AND GOVERNANCE

Pervasive and Potent

Our day usually starts with the morning newspaper and ends when we go to bed with the television 'remote' in our hand. This is symbolic of the pervasive role of media in modern life.

Mark Twain, in his own inimitable way, once remarked: "There are only two sources radiating light on the earth – the sun in heaven and the Associated Press". Now there are many more sources than the Associated Press, shedding light on us continuously. The impact of this light on our body, mind and soul is both subtle and deep. No matter whether we love it or hate it, praise it or condemn it, nurse it or stifle it, the media remains at the centre of our affairs.

Louis XVI of France called a full meeting of the 'Estates General' at Versailles in 1789. This 'Estate' represented the three pillars of state power. The First 'Estate' comprised three hundred nobles, the Second 'Estate' three hundred clergy and Third 'Estate' six hundred commoners. While speaking in the House of Commons, after the French Revolution, Edmund Burke referred to the above meeting of the Estates General, looked up at the press gallery and said, "Yonder sits the Fourth Estate, and they are more important than all". Clearly, even in the eighteenth century the great power which the media had acquired was well recognised. Now this power has increased manifold. And the media has become a strong social force, influencing the machinery of governance in many different ways.

Beneficial or Harmful

Whether the media's influence is beneficial or harmful would depend upon its underlying motivation. If the media pursues the larger objective of emancipating man and developing his personality,

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of educating and informing him about the truth, of broadening his outlook, of inspiring him with high ideals, of elevating him morally, socially and intellectually, of improving his aesthetic perceptions, of helping him in evolving an order in which there is no fear, intimidation or coercion, its impact would be salutary and it would go a long way in securing the goal of fair and just governance by just and fair means. If, on the other hand, the media uses its freedom in dividing the nation on communal lines, or accentuating caste or tribal differences, or reopening old wounds, or telling 'popular' truths, or romanticising terrorists and pandering to their megalomaniac instincts, or propagating militancy, or giving all-India publicity to a few hooligans throwing stones from the corner of a street, or encouraging obscurantists and parochial elements, or demoralising public services, or spreading disaffection, strife and riots, then it would clog the machinery of governance at its key points. Instead of serving as a source of information and knowledge, wisdom and light, it would act as no more than a malfunctioning lamp which sets the house on fire.

Freedom : Controlled or Uncontrolled

Media cherishes its freedom, and rightly so. But what is freedom in the current social, economic, political and cultural environment? Nobel Laureate Solzhenitsyn provides one kind of answer:

> Freedom! To fill people's mailboxes, eyes, ears, and brains with commercial rubbish against their will, television programmes that are impossible to watch with a sense of coherence. Freedom! To force information on people, taking no account of their right *not* to accept it or their right to peace of mind. Freedom! To spit in the eyes and souls of passersby with advertisements. Freedom! For publishers and film producers to poison the younger generations with corrupting filth. Freedom! For adolescents of fourteen to eighteen to immerse themselves in idleness and pleasure instead of intensive study and spiritual growth... Freedom! For strikers... to deprive all other citizens of a normal life... Freedom! For speeches of

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> exoneration when the lawyer himself is aware of the guilt of the accused... Freedom! For vulgar, casual pens to slide irresponsibly over the surface of any problem... Freedom! To divulge the defence secrets of one's country for personal political gain.[72]

Gandhi reflects upon the issue from a different perspective:

> The sole aim of journalism should be service. The newspaper press is a great power; but just as an unchained torrent of water submerges the whole country-side and devastates crops, even so an uncontrolled pen serves but to destroy. If the control is from without, it proves more poisonous than want of control. It can be profitable only when exercised from within.

The messages of Solzhenitsyn and Gandhi are loud and clear and these have an underlying commonalty. The media should not lose sight of fundamentals. It must not treat its freedom as an end in itself. It must see it as a means to an end – the end of creating an organised, peaceful, prosperous and value-based society. If it ignores such an end and destroys orderly life, it would merely become an instrument of committing national suicide. To quote Gandhi again, "The cause of liberty becomes a mockery if the price to be paid is the wholesale destruction of those who are to enjoy it".

In our country whose mind has undergone desertification[73] *for one thousand years and whose post-independence leadership has remained oblivious of the need to remove the after-effects of this desertification, the danger of wholesale destruction is real.* Here, the house is made of dangerous and combustible material and can catch fire easily. Undeveloped minds cannot exercise discriminatory judgement and are easily swayed by emotions and racial, religious and sectarian prejudices. In such circumstances, to use Balzac's words, "the newspapers, which should have been a shrine becomes an

[72] Michael Scammell: *Solzhenitsyn; The Sage of Vermont* : p. 954.

[73] Chapter XI; see section : '1000 Years Of Desertification With Small Meadows Of Green Appearing Here And There.'

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instrument, and from being an instrument becomes a business of exploitation".

The Indian media in general has done a great job in exposing cases of corruption and misuse of authority and has also ably served many public causes in diverse ways. But the existence of 'business of exploitation' to which Balzac referred cannot be denied. There is a well-founded view that partition of the country would not have taken place but for the role of the press, particularly the vernacular press. The current unrest in a large part of the country[74] and growth of fundamentalism is not un-related to irresponsible reporting in the press. Again, frequent comments upon the officers by the press has a lot to do with the general tendency amongst the officers to be indecisive and pass on the buck to others. Any delinquent junior officer who is sought to be disciplined has simply to get hold of some doctored note or paper and pass it on to a journalist who is anxious to publish it to serve the cause of 'investigative journalism'. It is this phenomenon which is partly responsible for a marked tendency amongst senior officers not to assert themselves, thereby contributing to general inefficiency and ineffectiveness of the administration.

An Example

Even with regard to the battle of governance machinery against militants in different parts of the country, the role of some pressmen has deeply hurt the national cause without in any way advancing the cause of freedom of the press. Let me give an example from my personal experience as Governor of Jammu and Kashmir.

I was appointed in April 1984 and served for a full term of five years. When terrorism and subversion erupted and the state was fast heading to a point of no return – even the then Union Home Minister's daughter had been kidnapped and her release was obtained only after the terms set by the militants were agreed to by

[74] See chapter VII, section : 'Terrorism and Subversion' and also section of this chapter dealing with Police Reforms.

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the Central and State governments – I was sent to Jammu and Kashmir as Governor for the second time on January 19, 1990. My first term was considered as highly successful. It was thought by the powers that be that I was the most suitable person to retrieve the situation.

At that time, an 'eminent' press-person[75] wrote: "In the past year, nearly 150 people have lost their lives in Kashmir. Of these, around 30 are policemen and officials and the rest are civilians. Not a single terrorist has been killed. And yet the Kashmir Government, if it can be called that any more, claims that its main aim is to protect innocent lives". Again, immediately after the imposition of Governor's rule and my taking over charge, the same press-person commented in another newspaper write-up : "So Delhi is left with no option but to come down with a heavy hand. Already senior Janata Dal leaders are talking privately in terms of crushing the insurgency even if it means a spell of martial law in the Valley. This is unlikely to be easy despite the Governor's (Jagmohan's) fabled administrative abilities. By the time Farooq Abdullah resigned, the Valley was being virtually ruled by the militants." And yet after a few months, to secure ingratiation from militants and my denigrators in Pakistan, the same press-person said exactly the opposite : "Before Jagmohan took over on January 19, 1990, there was semblance of normalcy in the Valley".

About Goakadal and other incidents of January 21, this is what I have recorded on page 18 of my book, *My Frozen Turbulence in Kashmir*: "The crowds which had gone berserk, burning public buildings – SIDC office complex at Natipora, Women's Polytechnic, Saida Kadal, Mehjoor Bridge, etc. – had to be dispersed. Firing had to be resorted to by the security forces at Hawal, Tulsi Bagh, Gowa Kadal, Lal Bazaar, Safa Kadal, etc. Twelve trouble-makers lost their lives and many were injured." It is on the 'rumour mill',

[75] I am not giving the name as my purpose is to suggest measure for reforms and not to embarrass any journalist. Those who are interested in research or reference may go through my write-up : *Ignoring Realities*, published in the Hindustan Times of 6th May 1995.

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and not on the report of Lt. General Zaki, who had no axe to grind to give wrong figures of casualties, the above referred press-person wrote: "An engineer called Farooq Ahmed told any number of foreign correspondents how he had fallen injured on the bridge and then been shot at several times while he lay on the ground. He was then dumped in a lorry filled with corpses and driven to police headquarters where he was saved by some Kashmiri policemen. More than a hundred died. Some died by gun-shot, others drowned as they jumped into Jhelum to escape the bullets."

Concoction is writ large on the face of these statements. Imagine a person having bullet injuries lying on the ground, being shot again several times and then being dumped among the corpses and yet running around to every foreign correspondent after having counted over a hundred dead persons lying at one spot with several gun-shot injuries from an army firing!

The above example would clearly show that the issue is really not of freedom of the press but of untrue, irresponsible and ingratiation-oriented writings. Such writings provide not only oxygen to the militants but also a lot of propaganda material to India's opponents abroad. The humanitarian cause, too, is not served. False boosting results in swelling the ranks of militants and causes larger number of casualties on both sides. The blood bath becomes thicker. It also spreads over a longer span of time.

Could all this be allowed to continue in the name of freedom of the media? Is it reasonable to expect good governance if the resolve of all those who are keen to give such a governance is daily weakened by inaccuracy or superficiality of a section of media? Years ago, Walter Lippmann had pertinently pointed his finger to a paradox : "If I lie in a lawsuit involving the fate of my neighbour's cow, I can go to jail. But if I lie to a million readers, and if I choose the right series of lies, nobody will punish me." Should it not be an obligation of public authorities to tackle this paradox and save millions of readers from the pernicious fallout of lies to which they are daily subjected?

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Responsible Leadership

It is for the responsible leadership in the media to find answers to the above questions and evolve a suitable mechanism and entrust it with the responsibility of ensuring that the media effectively acts as positive force in realising, within a short span of time, the goal of good governance and building a national edifice with a higher sense of design and purpose. Such a leadership, fortunately, exists. There are quite a few highly motivated media-persons on the scene. All that is needed is coordination and a well organized group. Such a group could also play the role which intellectuals have been performing in advanced societies. Unfortunately, post-independent India has not produced any great intellectual who has provided new and original ideas or philosophies to the nation and captured her imagination.

Three Sets of Problems

New mechanism which the media leadership may evolve would have to take care of three sets of problems. The first set concerns the type of inaccurate writings which I have analysed above. The second set relates to those media-persons who are known as 'singers of the ode', that is, those who always toe the line of authorities in power. In the words of a poet:

> They merely become useful hearts,
> Like iron locks,
> Uncomplicated, convenient,
> Capable of carrying out any order:
> To malign? To Malign!
> To praise? To praise!
> To annihilate? To annihilate!

The third set presents the most formidable of all the problems. It emanates from the attempt of the corporate world to smuggle its view point into the consciousness of millions of people. "Through media, the current economic Prussianism can control the nation's mind, form its opinions, direct its passions and determine its

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judgements".[76] Not only that, a handful of transnational corporations have come to monopolise[77] the media. Eduardo Galeano has rightly observed:

> The communication media are monopolized by the few that can reach everyone. Never have so many been held incommunicado by so few. More and more have the right to hear and see, but fewer have the privilege of informing, giving their opinion and creating. The dictatorship of the single word and the single image, much more devastating than that of the single party, is imposing a life whose exemplary citizen is a docile consumer and passive spectator built on the assembly line following the North American model of commercial television.

A Reformed Framework

While it is for the media-leadership to work out the precise framework for the independent institution to deal with the above three sets of problems, and keep the media in a healthy state, I personally think it would be the best to retain the basic concept of the present Press Council but invest it with effective powers and also enlarge its functions.

The present statute should be subjected to three major changes. First, the name – Press Council – should be changed to the Media Council and its composition made more broadbased, ensuring at

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[76]These words are of eminent analyst, Allen Lane.

[77]On the issue of monopoly, this is what Justice P.B. Sawant, former Chairman of the Press Council of India, said in a recent interview:

> Today in America itself only four families are controlling 75% of newspapers. There are 3 families which are controlling 30% of the total world news. On the contrary, there are two big national dailies in Japan, owned by journalists, where the journalists hold 70-80 per cent of the shares and they have very large circulation. *La Monde*, the famous French newspaper, is also managed by the employees. It is a company of journalists. There are trusts here in India, which are running newspapers like *Tribune Trust* which brings out *The Tribune*. This cooperative structure has been advocated by the Press Commissions which were appointed earlier.

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the same time that two-thirds of its members are journalists, serving or retired.

Secondly, the Media Council should be empowered to impose monetary penalties on the offenders who, willfully or out of gross carelessness, resort to inaccurate or ingratiation-oriented writings. In case of the first offence, penalty could be nominal. In the event of repetition of the same offence, penalty could be substantial. If the offender is found to be habitual, he or she could be sternly dealt with. Since the Media Council would be presided over by a retired Supreme Court Judge and majority of its members would belong to media itself, there is little likelihood of its power being inappropriately applied.

Thirdly, to ward off undesirable impact of big corporate houses on peoples' mind, the Media Council should have the legal right to ask for time, free of cost, not exceeding 15 minutes in a fortnight in case of television and radio, and space not exceeding 500 words in case of newspapers, to put an alternative view point on any specific item or general subject. This would enable the viewers and the readers to develop a more discriminating mind and be cautious about the subtle games which big business houses play to serve their ends.

As I have said before, the media-leaders should themselves take the initiative to work out the framework of a new institution which would balance all considerations relevant to functioning of a healthy media. Such an institution must also serve a larger objective – the objective of social and cultural reconstruction of the country without which media-leaders' own writings in the press and observations on the television and radio would have little impact on the public mind.

I have often wondered why our top media personalities do not reflect upon the outcome of their writings and observations. They have written hundred of articles and spoken thousands of words on television and radio, condemning corruption in public life, denouncing misuse of authority and deprecating criminalisation of politics. Does not the futility of their efforts strike them? Do they not ask themselves the

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question: how is it that, despite their writings and observations, corruption in public life has increased, misuse of public authority has become more blatant and criminalisation of politics has acquired deeper hues? Should they not now start making efforts simultaneously to prepare a soil in which their views can strike roots and yield a rich harvest? In other words, should not they also start working for reforming the Indian mind, purifying the Indian soul and causing an inner awakening in the country?

Well-meaning, motivated and successful media leaders need to come out of the limited sphere which they have set for themselves. They must play an effective role in providing intellectual and moral leadership to the Indian people who have not yet recovered from the aftermath of the long spell of degeneration through which they have passed. This will not only serve the larger national interests, including those of good governance, but also their own profession as receptivity of views propagated by them through media would increase.

ORGANISATIONALLY AND ETHICALLY STRONG

The above are the main features of my design which could give birth to a new state in India. This state would be served by strong institutions, the pillars, planks and other attributes of which I have sketched in this chapter. Precise patterns of reform proposals have also been indicated for various institutions, be they in public or private domain, or fall in the realm of the executive, legislature, judiciary or press. The underlying objective has been to weave in these institutions elements of power, nobility and responsibility and to make them as potent, pure and purposeful as possible. I firmly believe that it is only on the shoulders of such institutions that an organisationally and ethically strong state can rest and rear a culture of creativity which would take the nation to higher and higher visions and larger and larger canvas of purposeful thought and action.

After the emergence of dominant forces of globalisation and neo-liberalism on the national as well as international scene, it is all the more necessary that the State should become strong. These days, it is

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often argued that it is the markets and not the states that need to be made strong. This argument is a fallacy. As I have underlined in the Introduction to this book, whether the boat of the State is 'rowed' or 'steered', the state remains the captain of the boat.[78] *With all the troubled winds and turbulent waters around, as in our case, the captain has to be fully in command and control. In fact, the captain has to show extraordinary vigilance and vigour to save the boat from being sunk either by its own passengers, who may damage it from within,*[79] *or by the outside forces*[80] *which, driven by their ends of power, may suddenly turn hostile.*

The signs on the road ahead are clear. If India has to survive meaningfully and realise her potential to the full, she has to improve substantially and simultaneously the 'timber' of the boat, the 'timber' of its passengers; and the 'timber' of its captain. In other words, we have to upgrade appreciably the quality of the State and its institutions; quality of the peoples' character and calibre; and quality of the leadership and its underlying motivation. How to do this is what I have indicated by unfolding my Blueprint for Reforms in this chapter and the preceding two chapters.

[78]For elaboration of this point, see my *Introduction*.

[79]Reference here is the activities of those who resort to terrorism, subversion, espionage, violence and divisive politics of caste, creed etc. See data given in this chapter's section dealing with the Police Reforms and also the facts stated in chapter VII under head: 'Terrorism and Subversion'.

[80]See chapter IX, wherein it has been brought out that the present world-order is being virtually managed by a powerful 'directorate' of a few western powers.

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CHAPTER XIV

TRANSLATING BLUEPRINT ON THE GROUND

And do not think of the fruit of action.
Fare forward.

O voyagers, O seamen,
You who come to port, and you whose bodies
Will suffer the trial and judgment of the sea,
Or whatever event, this is your real destination.
So Krishna, as when he admonished Arjuna
On the field of battle.

Not fare well,

But fare forward, voyagers.

T. S. Eliot[1]

Somehow every organization must make room for inner-directed, creative people, sworn enemies of routine and the status quo, always ready to upset the apple cart by thinking up new and better ways of doing things.

G. Rickover

In Chapter XI, I have written of the times when the Ganga of the Indian mind sparkled and its hills were green and Indian sages, bathing in the warm sunshine of creative rays produced a pattern of thought that is still unique in its freshness, spontaneity and depth. I have also described how the same Ganga went dry and the same hills turned barren and nothing but cold and chilly winds blew

[1]T.S. Eliot: *Four Quartets, Dry Salvages*. Similar thought has been expressed by him in his poem: East Coker, wherein he says:

But perhaps neither gain or loss,
For us there is only trying,
The rest is not our business.

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from the 'empty desolation' and froze the Indian mind and numbed the Indian soul. In the two chapters that followed, I unfolded a blueprint for mental, spiritual and physical regeneration of the country.

Action on the Ground

But the blueprint alone would not suffice. It has to be backed by action. Something concrete has to be shown on the ground to bring home to the people, particularly the doubting Thomases and chronic cynics, that cold minds could be warmed, numbed souls could be enlivened, the Ganga could be made to sparkle again and hills could be given back their green apparel. This is what I have been attempting to do for most part of my career, be it with regard to reconstruction of Shahjahanabad, or building of a 'Ninth' Delhi, or planting of city forests, or meeting the general challenges of our cities, or reforming the temple-management in Jammu, or developing the Kashmir Valley or fighting its 'frozen turbulence'.

In this Chapter, I would provide a glimpse of the recent attempts I made in this direction, when I held the charge of Minister for Culture and Tourism in the Union Cabinet for a little more than two years. *Since I can take up a few cases here, I have chosen only those which could serve as models of creative governance and also manifest my proposition of rekindling the power of India's mind, reawakening her soul and moulding her institutions to a new design of delivery and output.*

New Initiative Programme

All these cases, I may make it clear, were placed under an overall programme[2] which was named by me as *New Initiative*. This Initiative sought to clean, restore, conserve and upgrade

[2]The main objective of the New Initiative Programme was to take up some of the finest signposts of India's culture and, through their regeneration, reignite the ancient power of the Indian mind and make the future march of Indian civilisation more glorious and take the country to a point where it will be seen as mighty in thought, mighty in deeds, mighty in culture and mighty in service to humanity and

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environmentally most of the landmarks of India's history and culture, so that those coming in contact with them begin to feel as Edward Lutyens did:

> Endow your thoughts with faith,
> Your deeds with courage,
> Your life with sacrifice;
> *So all men may know*
> *The greatness of India*[3]

KURUKSHETRA

I would first take up the case of Kurukshetra, a cradle of India's culture and civilisation. It was here that the epic battle of the Mahabharata was fought, triumph of good over evil demonstrated and the great message of the Gita delivered – a message that has been rightly described as the eternal message of eternal India.

Gita and the Modern Man

The Gita is not merely a sermon by Lord Krishna to a dejected Arjuna who, having seen his kinsmen and teachers arrayed on either side of the battlefield, refuses to fight. It is, in fact, a message to the whole of humanity. It presents a view of life, a vision of man's place in the universe and obligation of doing his duty without any yearning for reward. It is highly relevant to the contemporary world which, despite unprecedented affluence and advancement in knowledge, is beset by unprecedented stresses and strains.

Kurukshetra symbolises the modern world, Arjuna the modern man and Krishna the Great Preceptor who offers a solution to the existential crisis through an integrated vision of the cosmos and wants to lead

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2 contd. prove Arnold Toynbee, the celebrated historian of civilisations, right, when, in 1952, he said: "In fifty years, the world would be under the hegemony of the United States, but in the twenty-first century, it is possible that India, the conquered, will conquer its conquerors."

[3]The lines were proposed by Sir Edward Lutyens for inscription on the Jaipur Column, New Delhi.

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humanity from the unreal to the real, from darkness to light and from death to immortality.

Over the years, the sands of time and storms of history had submerged the intellectual and cultural heritage of Kurukshetra. Under the New Initiative Programme, practically all the strands of this heritage were dug out of the debris of the past and reset in physically enchanting and spiritually elevating environment.

Historical Backdrop

As historical backdrop, I may indicate that Kurukshetra is named after a noble King, Kuru, who set out on a pilgrimage. He came to the bank of a holy river, Saraswati, and chose a piece of land for 'cultivation of ethical conducts'. God Vishnu appeared and asked Kuru from where he would find the seeds. Kuru offered his limbs, one by one. God Vishnu cut them into pieces and scattered them all over the field. Touched by the noble deed of Kuru, God Vishnu declared the land to be the holiest of the holy and named it *Dharmakshetra-Kurukshetra*. To visit this holy place and to take a dip in its holy tank is believed to be a pious act which has the effect of removing all previous sins.

The sanctity attached to Kurukshetra is compounded by its being an important scene in the Mahabharata as well. The Kauravas and Pandavas, who were the members of the ruling tribe, descending from King Kuru, were cousins. The former cheated the latter, humiliated their queen, Draupadi, and refused to concede even their most just demand. The war between the two became inevitable.

Site of Gita's Message

Jyotisar, located at the outskirts of the existing township of Kurukshetra, is believed to be the spot in the battlefield of the Mahabharata where the Gita's message was given. It was in a state of utter neglect. When I visited the spot to draw up plans for its proper upkeep, I found nothing but a sprawling pond, full of mud and slush with masterless cattle roaming all around. The few patches of even land that existed had been badly encroached upon.

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All this dirt and dross was removed and the entire complex was elegantly landscaped. It was provided with a clean water body and a platform with the ambiance of an open air theatre. An artistically designed 'light and sound' show was made a focal point of the Complex. This 'show' tells visitors the story of the Mahabharata with all its dramatic features, and also transmits the message of the Gita by way of gripping narrations and captivating visuals fashioned out of the dominant features of the complex.

Through one such visual, Krishna unfolds the Cosmic Spirit which he represents and tells Arjuna, "Behold my forms! Behold now the entire universe, animate and inanimate, all unified in My body!... But you cannot see Me with your eyes. Eyes divine I give you. Behold My divine power" (Gita, 11.7, 11.8). Herein lies the core of the Indian thought which perceives Non-Dual Reality behind the smoke screen of 'Surface-Duality'; a pattern of existence which constitutes an organic web and in which every item of life is inextricably enmeshed with every other item – a phenomenon of being One in All and All in One.

Other Landmarks

The other sites of cultural significance, located in Kurukshetra, were also cleaned up and improved. *Brahma Sarovar* is a huge water body, 1800 feet in length and 1400 feet in breadth. Pilgrims pray at its banks and purify themselves with a bath in it. Throughout the year, it remains filled with clean water. It is served by beautifully laid platforms and staircases. At night, it sparkles under the newly laid system of lighting. *Sanihit Sarovar* is another holy tank whose sorry spectacle has given way to a neat and clean water body. It too shimmers at night under the glow of lights.

In line with India's traditional search for peace, tranquility and communion with nature, a galaxy of parks, with a halo of spirituality created around them, have been developed. They include *Purushottama* Park, *Harshavardhana* Park and *Tapovana* Park, which was earlier a big garbage heap of the town.

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Thaneshwar Fort and Excavations

In the immediate vicinity of Kurukshetra lies another ancient city – *Thaneshwar*. It was the capital[4] of the great kingdom of Harshavardhana (606-647 AD) about whose noble character the famous Chinese traveller, Hiuen Tsang, has left a glowing account: "The King was indefatigable. The day was too short for him. He forgot sleep in his devotion to good work."

The massive fort built by Harsha had been mutilated by massive encroachments and illegal constructions. All these encroachments and constructions were cleared and the fort restored to its original form. On the western side of this fort, extensive excavations were undertaken and many hidden layers of Indian history brought to light. These excavations were a part of an overall project[5] under which scores of Harappan sites from Adi-Badri in Haryana to Dhola Vira in Gujarat, located on what is believed to be the embankment of now submerged river Saraswati, were to be excavated.

Results

All these and other connected measures, the details of which may not be relevant here, have broadly yielded the results that were intended to be achieved. *Kurukshetra has turned out to be one of the finest centres of the much needed awakening in India, a great nursery for greening of her barren landscape and a path-directing link in the long chain of illuminating signposts[6] of cultural regeneration that were being set up all over the country, under the 'New Initiative', from Mahabalipuram in the South to Martand in the North and from Kumbhalgarh in the West to Kamakhya in the East. It has also become a symbol of executional excellence which shows how an inspired and focussed leadership with a new entrepreneurial style of governance but*

[4]The capital was later on shifted to Kanauj. Hiuen Tsang is all praise for the liberal regime of Harsha. His empire was vast and covered almost the entire north India, extending his influence upto Assam.

[5]See subsequent sections in this chapter regarding this project.

[6]See Appendix.

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with values firmly rooted in the ancient nobility of India's temper can produce positive and wholesome results simultaneously on a number of fronts - economic, social and environmental. For local residents, too, the quality of life has improved immensely. They now take pride in their island of elegance and experience an urge within them to make their habitats still more soothing and graceful. Many other benefits that I recounted with regard to the Vaishno Devi Reforms in Chapter XII are bound to accrue, in course of time, to Kurukshetra as well.

AJANTA

In the spiritually elevating environment caused by the rising tide of Buddhist thought and in the wild solitude of dense and green forests and gentle and graceful streams, the Ajanta Caves were cut out of rocks and magnificent murals created on their inner walls by guilds of great artists and artisans from the 2nd century BC to the 6th century AD.

Rare Beauty

Patronised by princes, these artists produced works of rare beauty which had both 'a sense of the sublime' and 'a sense of design'. The inspiration was invariably spiritual. The dedicatory inscription on Cave 16 says: "Realising that life, youth, wealth, and happiness are transitory, the prince had this magnificent dwelling constructed to be occupied by the best of ascetics. It resembles the palaces of the lord of gods. As long as the sun shines with rays reddish like fresh red arsenic, so long may this spotless cave be enjoyed."

There are 29 caves in all. Some were temples (Chaitya) and others were monasteries (Vihara). They were painted in two main phases. Phase I was dominated by the Hinayana school of Buddhism which permitted Buddha to be painted only in the form of symbols. In the second phase, the Mahayana school of thought gained ascendancy and the paintings[7] depicted Buddha in human form.

[7]These paintings illustrate *Jataka*, that is, *the sacred* text, which tells stories from the life of the Buddha before and after his birth.

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The paintings of both phases are intensely human and mirror the history and culture of the times. Commenting on these paintings, the celebrated art historian and critic, William Rothenstein, said:

> "On the hundred walls and pillars of these rock-carved temples, a vast drama moves before our eyes, a drama played by princes and sages and heroes, by men and women of every condition, against a marvellously varied scene, among forests and gardens, in courts and cities, on wide plains and in deep jungles, while above the messengers of heaven move swiftly across the sky. From all these emanates a great joy in the surpassing radiance of the face of the world, in the physical nobility of men and women, in the strength and grace of animals and the loveliness and purity of birds and flowers; and woven into this fabric of material beauty we see the ordered pattern of the spiritual realities of the universe."

Hell Hole

In chapter VII, while analysing the work-culture of the executive, I have briefly touched[8] the case of Ajanta caves. *Therein, I have indicated how, notwithstanding the superb quality of these 'monuments in mountains' and the world-wide reputation which Ajanta paintings had earned as being "the greatest artistic wonder of Asia", an abominable slum was allowed to come up at the very feet of caves and entry to this 'ante-chamber' of heaven passed through the hell-hole of the Indian Administration.*

New Environment

Under the New Initiative, a determined effort was made to create a new environment. A civic-cum-tourist-cum-cultural complex was constructed about 3 km from the caves. Here, amidst an elegantly landscaped space, a shopping centre with 72 units, including five restaurants, was set up. A large car and bus parking area, with

[8]See chapter VII; section with sub-head: Two illustrations.

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scientifically designed pattern for circulation, was also brought into being. An information-cum-documentation-cum-interpretation centre, with attached facilities of medical care, is coming up. Another innovation was a green buffer that was created between the new centre and the cave complex through which only the road connecting the new centre and the cave complex now passes.

In the caves, cool fibre optics light was provided. This enables visitors to see the paintings in all their artistic glory and understand the stories they contain. The area vacated after the clearance of the slums at the foot of Sahyadri hills was landscaped, afforested and merged into the cave complex in accordance with an overall blueprint of creating the same environment in which the caves were hewed and murals painted.

The objective was to ensure that amidst the lovely greens of mountains and meadows of the Sahyadri range and the slow rustle of the Wagora river, the visitor to this massive complex of 29 caves was able to hear the '*voices of silence*' which the Ajanta paintings transmit in abundance. This objective has been realised in a record time. (Ante-chamber of heavens)

The ante-chambers of heaven, as the Ajanta Caves were once described, have been recreated. The soft music has been reinjected in the slow rustle of Wagora rivulets and the cosmic dance of the swinging trees on the Sahyadri hills made more meaningful and refreshing. Now, every item around lifts the visitor upward and puts him or her in a frame of mind through which could be seen "the ordered pattern of the spiritual realities of the universe" and the true purpose of life in this world and beyond.

ELLORA

No less remarkable than the Ajanta caves is the complex of rock-cut temples at Ellora. It is an incredible masterpiece of art and architecture in India. Its astonishing quality can be seen from the fact that one of the temples, modelled on the Kailash mountain in the Himalayas, is the largest monolithic structure in the world. Its massive dimensions are double than those of the Parthenon. It

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took about 100 years and about 1000 men to hew out 220,000 tones of rock. A unique feature of this temple has been commented upon in the UNESCO publication on the World Heritage sites in the following words:

> The carvers were sure to use "cinematographic" care in every detail of the sculptural work, and every bas-relief is a masterpiece in itself. The most outstanding is that of the terrible demon Ravana who, imprisoned in the bowels of Kailash, tries to free himself by shaking the mountain angrily, while Shiva, both amused and contemptuous, placates the earthquake using just the big toe of his left foot.

There are 34 temples in the Ellora complex. Twelve are associated with Buddhism, 17 with Hinduism and 5 with Jainism. Before the work of restoration and environmental improvement was undertaken in this complex under the *New Initiative*, the conditions prevailing there were as disappointing as in the Ajanta complex. Now the awe-inspiring, spectacular, panorama of Ellora serves as a magnificent window to the great arts of India. It takes the visitor to a higher horizon of thought which has always been a distinctive feature of Indian culture:

> Vast, heavenly, of unthinkable form,
> And more minute than minute,
> It shines forth,
> It is farther than the far,
> Yet here near at hand,
> Hidden in the cave of heart
> Is all that you need to see

Restoration work within and creation of green buffers around have brought back the glow which makes you see not only what is hidden in the heart of these caves but also what is hidden in the cave of your own heart. Such is the enduring result of a noble vision followed by an inspired and vigorous action by way of creative governance.

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MONUMENTS OF THE SCIENCE OF THE SOUL

As briefly commented in chapter XI, Buddhism is one of the finest thought processes which India has given to the world. It offers, in the words of great Buddhist scholar, Paul Dahlke, "a unique moment to moment drama for the struggle for truth". Its great worth has been underlined by Edmund Holmes in the following observation:

> "The ideas of Buddha are eminently congenial to the scientific tone of Western thought; and the day will come when the Conception of Life which they embody will be accepted in the West as the sanest and truest conception that the mind of man has yet devised and as the only stable foundation on which to build – what will surely be the fittest monument to Buddha's greatness – the Science of the Soul."

In India, there are a very large number of monuments which manifest this 'Science of the soul'. I brought almost all the significant ones, such as those in Bodh Gaya, Sarnath, Chaukhandi, Nalanda, in the ambit of New Initiative Programme and undertook several restoration and improvement works on lines similar to Ajanta and Ellora.[9]

Since my main purpose in this chapter is to give a few typical examples of each category of monuments about the results that an inspired governance machinery can achieve and since I have dealt with this category under Ajanta and Ellora, I am not going into details of these cases here.

RED FORT

In 1638, the Mughal emperor Shahjahan decided to shift his headquarters from Agra and build a new capital city on the bank

[9]For example, at Bodh Gaya, in the main temple complex, an elegant and soul-lifting Meditation Park with a congregation court, meditation courts and individual meditation pavilions, has been laid out. At Chaukhandi, near Sarnath, the open spaces around the Stupa have been beautifully landscaped, with meandering pedestrian pathways. A number of improvement works, including development of an eco-cultural village, were taken up in the Nalanda Complex.

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of river Yamuna, near the old ruins of Firozabad, Delhi. Here, a massive Fort, called the Red Fort, with its mighty walls, gates, towers etc. was constructed in about eight years. Emperor Shahjahan lived in the Fort and ruled the empire from it. The Fort was almost a self-contained imperial township, accommodating about 5,000 persons.

Unique

The layout of the Red Fort is unique. It is octagonal in conception. It has two long walls on the east and west and six smaller ones on the north and south. It contains a number of remarkable buildings, including Diwan-i-Am, a hall for public audience; Diwan-i-Khas, a hall where the high dignitaries met; Rang Mahal, justly famous for being "the crowning jewel of Shahjahan's seraglio"; and Nahar-i-Bihist, a branch of Ali Mardan's canal, which fed the fountains and chutes, etc.

It was on account of the Red Fort's grand design and its glorious buildings that Ferguson described it as "most magnificent palace in the East – perhaps in the world."

Saga

But the story of the Red Fort does not lie merely in the grandeur of its layout or the glory of its buildings or the grace of its parts or the gurgle of its fountains. Here, every stone, every column, every pavillion, painting, and pathway unfolds the saga of the ages gone by. They tell us how a greater empire was built, how an unmatched splendour was injected into its brilliant buildings, how compassion and cruelty were simultaneously exercised, how an absolute power-structure ultimately became a victim of its own arrogance, indolence and delusion, and how it fell into the hands of a cool and calculating company and eventually into the grip of the British rulers.

After the tragic event of 1857, the British Army occupied the Red Fort. To provide free movement for its soldiers and armoury, it demolished all the buildings within a radius of 448 yards, covering the entire area between Jama Masjid and Chandni Chowk on the

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one side and the Fort wall on the other. But despite these acts of destruction around the Fort, the British rulers could not but be dazzled by its imperial tradition. This tradition found full expression on December 14, 1911, when King George V and the Queen, with their glittering crowns and colourful robes and with all the glory associated with the great oriental monarchs, appeared from the balcony of the Red Fort to a cheering crowd of about half a million.

To the Indian freedom fighters, too, the Red Fort remained a symbol of power. The slogan given by Netaji Subhas Chandra Bose to his Indian National Army was '*Delhi Chalo*' and the first flag of free India was also hoisted on it by Pandit Nehru on August 15, 1947.

Wounds of History

Over the years, the Red Fort had suffered at the hands of time. History had inflicted its own wounds. Casualness had sapped whatever little energy was left in its limbs and bones.

When, after taking over as Minister for Culture and Tourism, I went to have a look at the Red Fort in depth, I came across a number of shabby structures. The open ground at the back of the Fort had become a nauseating slum. It was often used as what was called '*chor bazar*'.[10] The overall picture[11] was so depressing that I wondered whether any improvement plan could at all be drawn up and executed. But on further consideration, I decided to resurrect the entire complex with all the determination that I was capable of mustering. A project called 'Rebirth of Red Fort' was drawn up and executed firmly and speedily.

Project – Rebirth

The entire surface of the Fort walls – 21,219 square metres – was thoroughly washed and chemically cleaned. The 1.7 kilometres

[10]Chor-Bazar means a market where old, sometimes stolen, items are sold at comparatively cheap rates.

[11]For details of the conditions prevailing, see chapter VII; section with sub-head: Two Illustrations.

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long moat with massive slush accumulated over the years was cleared. About 23,000 cubic metres of debris, with a load of 3,500 trucks, was lifted from it. About 2,200 square metres of pathways which were of flagstones and were subsequently damaged were relaid in accordance with the original design. The shell plaster on the walls of *Mumtaz Mahal, Rang Mahal, Hamam*, which had peeled off, was refixed. All the 23 red sandstone *Jali-windows* which had broken, were remade. *Diwan-i-Khas, Khas Mahal, Naubat-Khana, Tehkhana*, too, were brought back to their old glory. The *Hyat Baksh Garden* with its fountains, channels and cascades was also restored.

The old underground passage to the Yamuna River Front, under the Musamman Burj, was cleared and opened on the Ring Road side. Restoration of Nahar-i-Bihist, which seemed almost impossible, was also carried out.

A special treatment was accorded to a virtually unknown *baoli* – step-well – which hides a small but an inspiring part of history of our freedom struggle. It had an indigenously designed bathing tank and a large courtyard, about 28 feet below the ground level, approachable through stairs. During the occupation by the British Army, the *baoli* fell into disuse and a good part of the courtyard was converted into prison cells where the freedom-fighters called dangerous prisoners by the British Intelligence were brought for interrogation. After 1945, however, the *baoli* and the cells were closed. Later on, a lot of junk, garbage and building material got dumped here. It was only after the transfer of the area from the Army that the *baoli* was cleaned. Hundreds of truckloads of garbage were removed and the prison cells and the *baoli* exposed to the view, bringing out quite a few hidden pages of our history.

New Looks : New Wings

If you now look at the back of the Red Fort, you would find a great new landmark in the capital – elegant and enchanting. The scene would be particularly pleasing if you drive or walk along the Ring Road, late in the evening, when the recently cleaned up, conserved and

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restored eastern side of the Red Fort is lighted up with a newly installed lighting system.

Similar treatment was accorded to the vast uneven and uncared for area on the Chandni Chowk side which has been converted into a beautiful national park – August 15 Park. Thus, two glorious green wings were provided to the Fort, which would enable it to fly into the future with grace and confidence.

HUMAYUN'S TOMB COMPLEX

Precursor To Taj Mahal

The Humayun's Tomb, Delhi, which provided inspiration for subsequent construction of world famous Taj Mahal, Agra, is one of the most significant monuments of India. It reflects the synthesis of some of the finest architectural traditions of India, Persia and Central Asia. It marked "the end of the sombre style of early Indo-Islamic architecture and laid the foundation of the ornate style that characterised the mature Indo-Islamic architecture and culminated in the Taj. The rigid main lines of the building are diversified by *chattris* or pavilions essentially Hindu in origin and without impairing the strength of the design, give it a coherence foreign to its Persian prototypes."[12]

The Humayun's Tomb has within its complex a number of other monuments,[13] including the house where the great Sufi saint Nizamuddin Auliya lived. In fact, one of the reasons for selection of the site for Humayun burial was its close proximity to the *Dargah* of the holy preacher.

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[12]Archaeological Survey of India, text: SAA Naqvi.

[13]These monuments include Arab-ki-Sarai, Bu Halima tomb, Barber tomb, tomb of Isa Khan and grave of Dara Shikoh etc. and also the graves of two wives of Humayun, Haji Begum and Hamida Begum (Mother of Akbar). No other mausoleum contains so many distinguished dead of the Mughal dynasty as the complex of Humayun's Tomb. The Mughal rule virtually ended here, when the last King, Bahadur Shah II and his three sons, who had hidden themselves in this complex, after the failure of 1857 uprising, were arrested by Lieutenant Hodson.

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Previous Conditions

For the purpose of making improvements under the New Initiative Programme, I treated all the historical buildings in the compound of Humayun's Tomb and its immediate vicinity as integrated components of one great complex, extending from Nila Gumbad[14] in the north to Lodhi Road cremation ground in the south. The conditions prevailing therein were, to say the least, depressing. At the main entry of the Humayun's Tomb itself, shabby stalls had been put up under a notoriously corrupt system of municipal patronage, known as *Tehbazari*,[15] and all sorts of heavy vehicles, which had no concern with the monuments, were allowed, albeit illegally, to occupy the open spaces. On the Nila Gumbad side was a huge citadel of India's vote bank politics. Here, thousands of 'slum dwellers' were kept by an influential section of political leadership to serve as 'bonded voters' during the elections to the Municipal Corporation, State Legislature and Parliament. The environment of the Dargah of Hazrat Nizammudin Auliya had also been savagely degraded. The holy tank had become a huge cess pool of stinking slush. To prevent any mishap, the police had locked its entry-gate.

Improvements

After implementation of various projects under the New Initiative Programme, the conditions in and around this complex have undergone a sea-change. All the stalls and other intrusions were removed and monuments and green spaces restored. Elegant parks and gardens now surround the monuments, adding to their dignity and grace, besides providing long, enchanting and graceful avenues to morning and evening walkers in the heart of Delhi. On the extremities of the complex, two new boulevards were laid out, one

[14]Nila Gumbad is an impressive monument with a blue dome. Its history is unknown. The circumstantial evidence, however, suggests that it existed before Humayun's Tomb was built.

[15]*Tehbazari* is the system of licensing small space. In actual practice, on account of corruption, it is turned into permanent shops covering much more space than licensed.

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leading to the historic Gurudwara, Dum-Duma Sahib, and other to Nizam-ud-Din Railway Station along the Barapullah Nallah, thereby making the whole area of monuments noise and air-pollution free.

On the Dargah side, the holy tank was thoroughly cleaned – perhaps for the first time in living memory – by using high-pressure technology. The centuries old slush which filled scores of huge tankers, was sucked out. The important monuments in the neighbourhood, like Chausath Khamba, Bara Khamba and Mirza Ghalib Mazaar were also extensively cleaned up and restored.

A Memorial to Dara Shikoh

What specially delighted me, while executing improvement plans for this complex, was the fulfillment of my long cherished desire to give a memorial park to Dara Shikoh whose grave is located in this complex, almost unknown and unattended. He was the eldest son of Shahjahan and the most learned, the most enlightened and also the most tragic figure of the Mughal history. As I have indicated in chapter XI, he was an eclectic soul who wrote books underlining the common strands of Hinduism and Islam and who held promise of being another Akbar. This noble prince, whose ascendancy to the Mughal throne, instead of Aurangzeb, could have turned the course of Indian history in the right direction, certainly deserves a memorial park to keep alive his memory as well as the story of his tragic end at the hands of his younger brother. This story has been told by Stanley Lane Pool, the celebrated historian of Aurangzeb, in the following words:

> Dara Shikoh was paraded through the streets of Delhi dressed in the meanest clothes, on a wretched elephant, covered with filth, and the tumult which this barbarous humiliation stirred up among the people nearly amounted to a rebellion. 'Everywhere', says Bernier, 'I observed the people weeping and lamenting the fate of Dara in the most touching language : men, women, and children wailing as if some mighty calamity had happened to themselves.' They showed such alarming

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sympathy with Dara, that Aurangzeb resolved upon his speedy execution. On the 15th of September, 1659, he was executed. When he was dead, his body was carried round the city to prove to all men that the deed was done, and 'many wept over his fate'. His head was taken to Aurangzeb, who had it washed from blood, to make sure of its identity, and then ordered it to be buried in the tomb of Humayun.

All in all, in a short span of time, a number of historic monuments in this complex have been given a fresh lease of life and green belts created around them, which nurse not only architectural legacy of the country but also its eclectic dispositions. When illuminated at night, the monuments, particularly the Humayun's Tomb, Nila Gumbad, Mirza Ghalib Ka Mazar, and Subz Burj, look truly magnificent. It is attracting many more visitors than before. In a single year, the number of visitors has increased four times.

QUILA RAI PITHORA

Quila Rai Pithora was, till recently, nothing but a huge, uncared for, mound, which was being used as a defecation ground by the slum dwellers living on and around it. Hardly any one, except a few scholars, knew that an important slice of Indian history lay buried underneath, including the one pertaining to Quila Rai Pithora and Lal Kot, the first of the Delhi's Seven Cities, built in about 1180 and associated with the legendary Rajput ruler, Prithvi Raj Chauhan.

One of my first acts, after taking over as Urban Development Minister, was to visit this site, order its clearance, activate the Delhi Development Authority's machinery, formulate and execute a development plan. At that time, only a tiny area of the mound was 'protected'. When my portfolio was changed to that of Tourism and Culture, which included the charge of Archaeological Survey of India, I ensured that the entire mound was declared as 'protected' under the Ancient Monuments and Archaeological Sites and Remains Act, 1958, and arranged for its extensive excavation.

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Ruined Magnificence

Today, you see the excavated ramparts and walls of Quila Rai Pithora in all their 'ruined magnificence' whose medieval charm is enhanced manifold at night when the monument is lighted.

The newly built Conservation Centre, with a splendid statue of Prithvi Raj Chauhan erected on it and development of green parks on all its sides, have now become an outstanding example not only of constructive restoration but also of weaving history and heritage in our urban fabric and providing freshness and tranquility in the otherwise congested and fast expanding cities. Presently, about 10,000 persons are using these greens for morning and evening walks. Its Conservation Centre houses a permanent exhibition on the March of Indian Civilization, from the Harappan times to the present day.

MAHABALIPURAM

The Mahabalipuram Complex, built in the seventh century, under the Pallava regime, covers some of the most remarkable Rock cut shrines of India – Arjuna's penance, a bas relief with life size images; Pancha Pandava Rathas, a set of five mini shrines carved out of one rock in the form of chariots; Mandapams, sculptural relief depicting stories from Hindu epics; and Shore Temple with a square lower storey and a pyramidal superstructure.

While inscribing this set of monuments in the World Heritage Sites, the UNESCO has observed: "This art is Indian with such purity of line, such nobility, such perfection that these works are indicative not of primitive society, but rather the zenith of a civilization".

Under a restoration, conservation and improvement Master Plan, drawn up as a part of the New Initiative, a *sparkling look has been imparted to this great heritage of India and its various temple sites integrated through elegantly laid green walkways and refreshing parks.* With its slums, shops and workshop, relocated, the majesty of the sea stands out from all sides and adds its charm to the fascinating environment.

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HAMPI

Hampi contains the ruins of some of the finest monuments of India's classical traditions. Built during the period of the last great Hindu Empire in the South, Vijayanagar, whose significance, in the words of noted historian, R.C. Mazumdar, "is that for well three centuries it stood for the older religion and culture of the country and saved these from being engulfed by the rush of the new ideas and forces."

At its zenith, the empire's capital, Hampi, was highly prosperous and housed a population of about 5 lakhs. In the words of the Persian traveller, Abdur Razak (1443), "neither the eye has seen nor the ear has heard of any place resembling it upon the whole earth". Domingos Paes, Portuguese traveller, described it as "the best provided city in the world". It fell in 1565 under the combined onslaught of the neighbouring Muslim Kingdoms of Bijapur, Bahamani and Golkonda. It was brutally plundered and subjected to a carnage that was more thorough than the sack of Rome by Attila, the Hun, in the 5th century.

Under the New Initiative, a comprehensive rejuvenation plan was formulated and executed with vigour and speed in the entire area of Hampi which falls broadly in three complexes of Virupaksha Temple Complex, Vithala Temple Complex and Royal Palace Complex.

All shops, stalls and other incompatible structures, presently located in or near the monuments, are being relocated in an elegantly built new commercial centre, wherein all facilities for visitors are also being provided. No commercial activity or residential buildings are allowed beyond this centre from where only small battery-operated buses would move to the monuments, some of which have already been restored and their ancient glory enhanced by illuminating them at night (see photographs). All open and dusty spaces have been beautifully landscaped and lands in neighbourhood acquired to create 'great green buffers' between the monuments and human habitation. The movement in the

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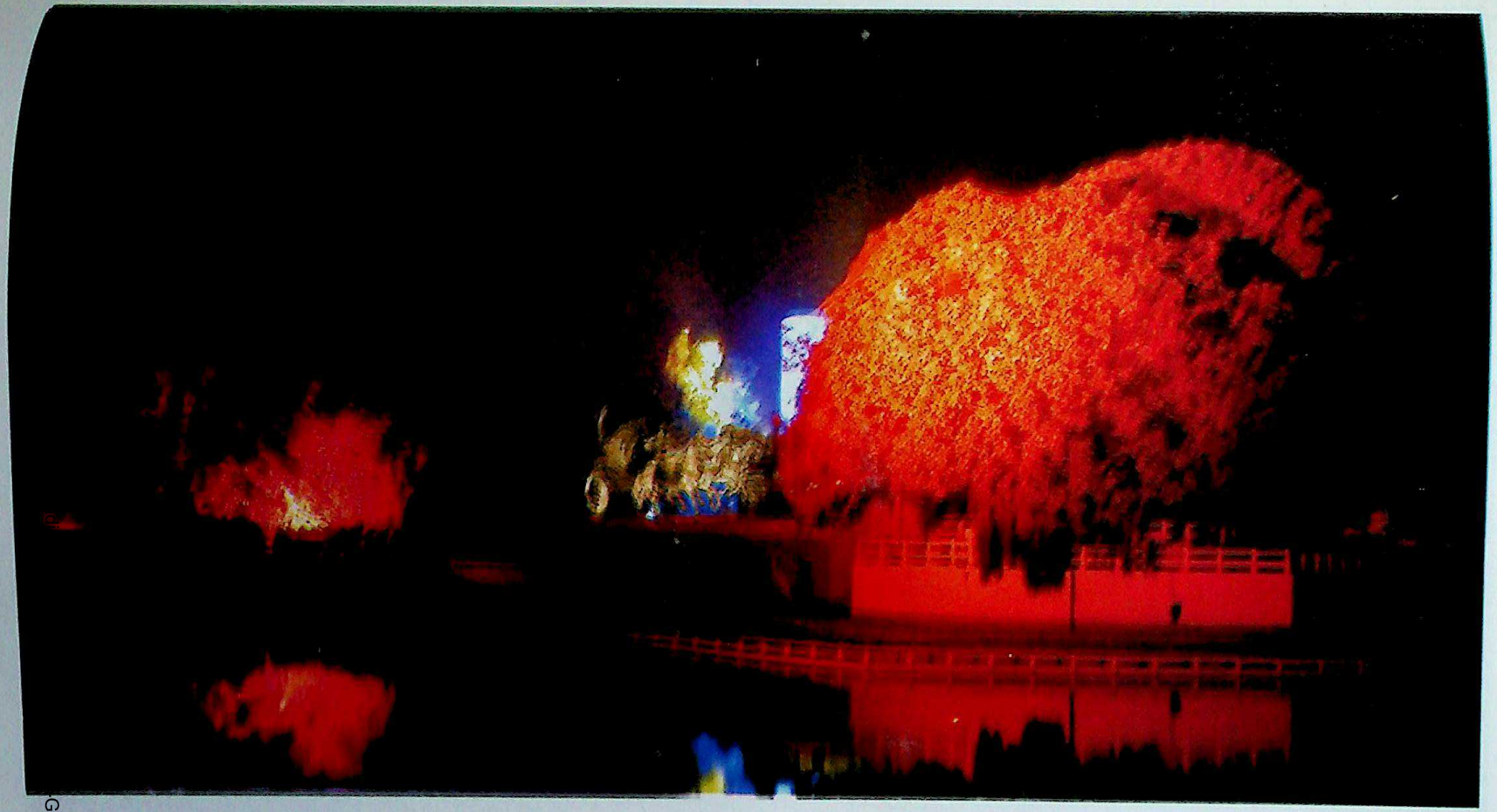

A scene from the Light and Sound Show, Jyotisar,
which depicts Lord Krishna unfolding the Cosmic Spirit. (See section on Kurukshetra, *pages* 447-451)

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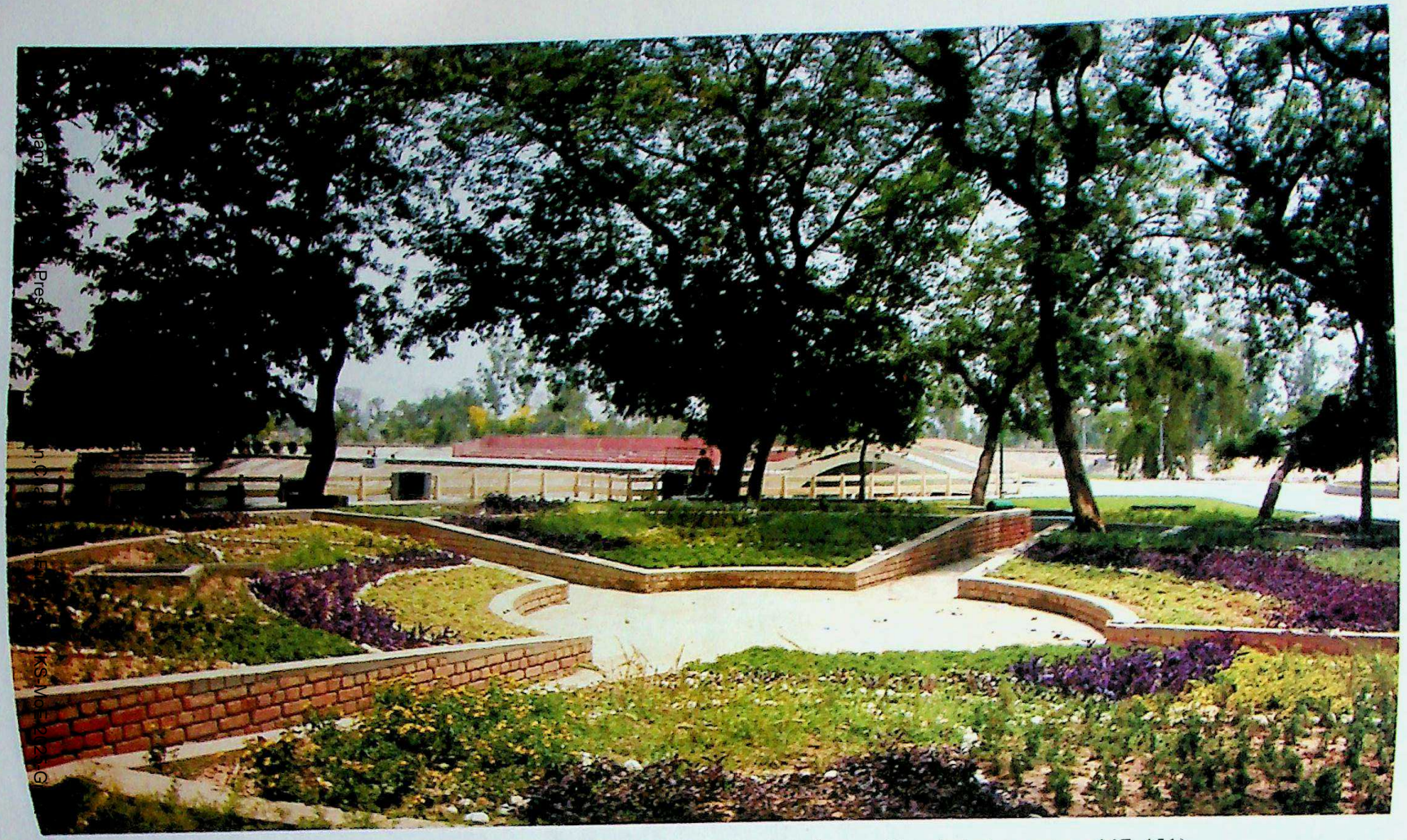
Grant



Landscaping at Jyotisar or Purushottama Park. (See section on Kurukshetra, *pages* 447-451)

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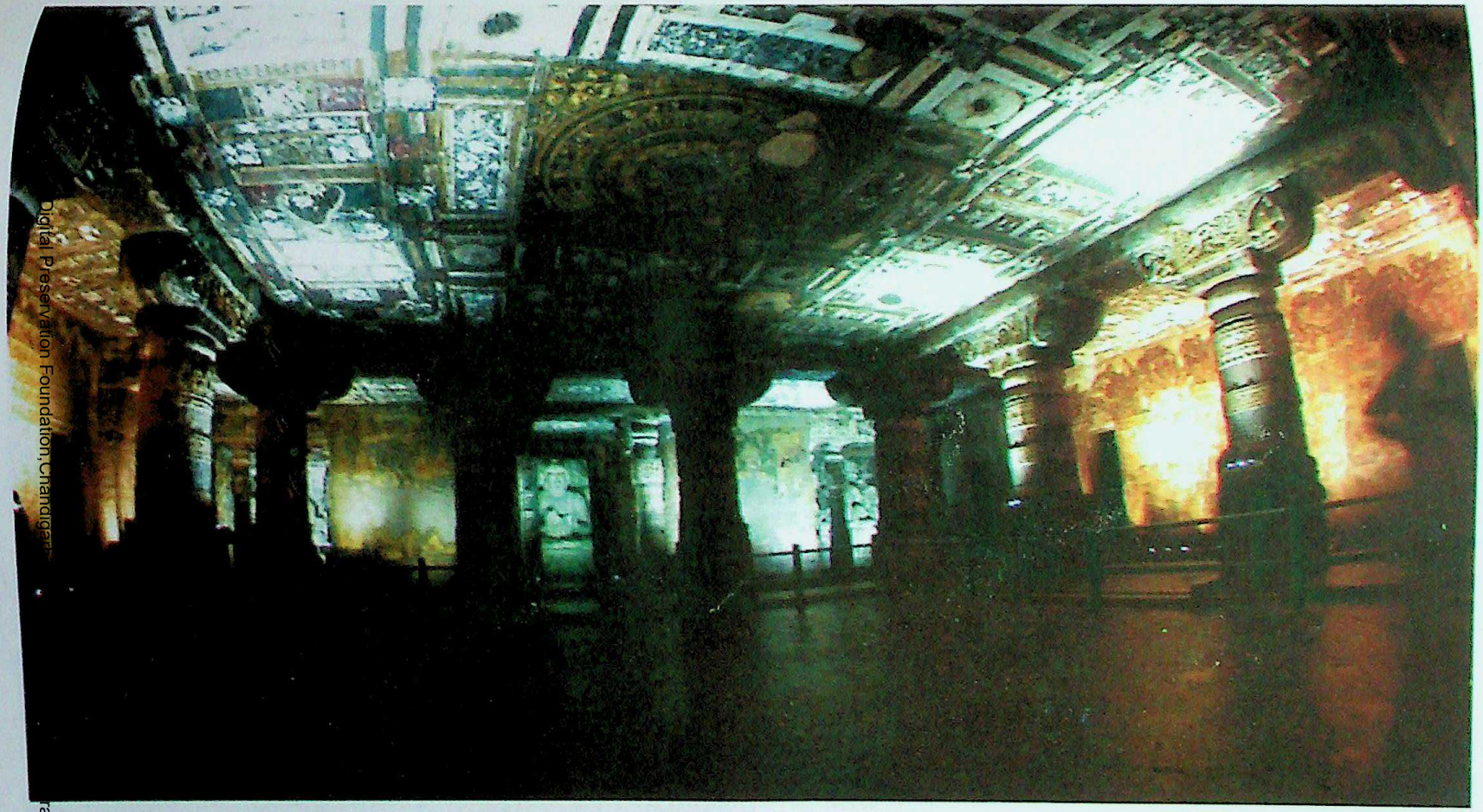

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The interior of Ajanta Caves which remained dark earlier but have now been elegantly lighted with fibre optics. (See section on Ajanta, Ellora, *pages* 451-453)

Meditation Park at Bodh Gaya. (See section on Monuments of The Science of the Soul, *page* 455)

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Rear of the Red Fort which was earlier a clumsy spot and a Chor Bazar.
(See section on Red Fort, *pages* 455-459)

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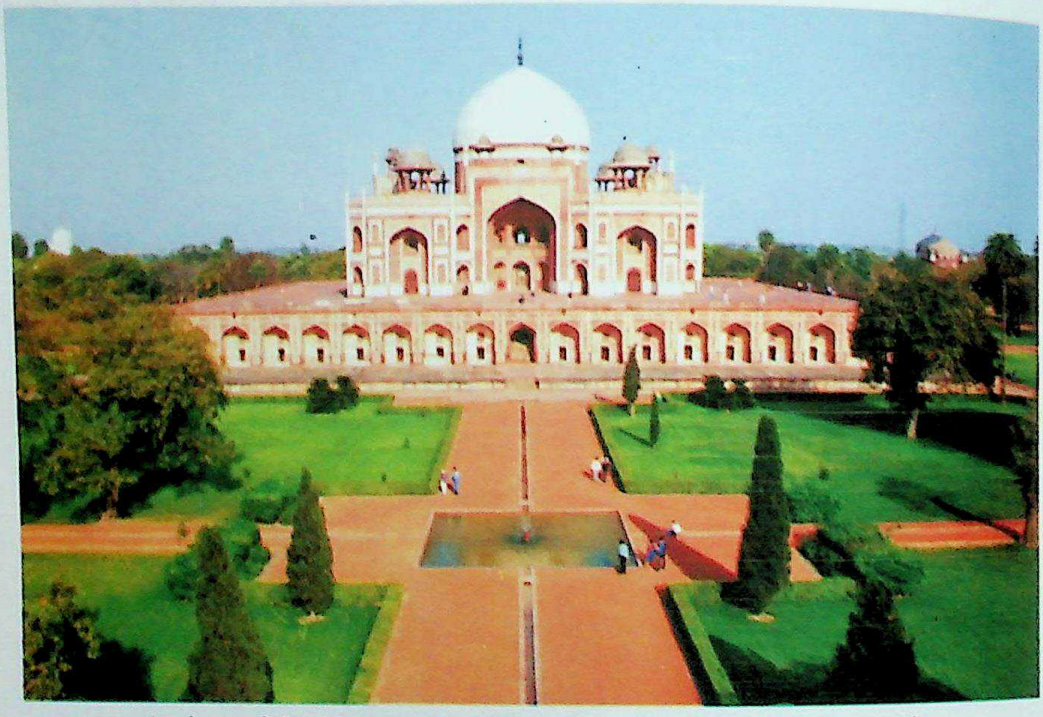

A view of the Humayun's Tomb Complex on restoration and improvement, on which Rs. 14 crore was spent. Rs. 2 crore was contributed by Agha Khan Trust.
(See section on Humayun's Tomb Complex, *pages* 459-462)

View of Humayun's Tomb and Dara Shikoh Park.
(See section on Humayun's Tomb Complex, *pages* 459-462)

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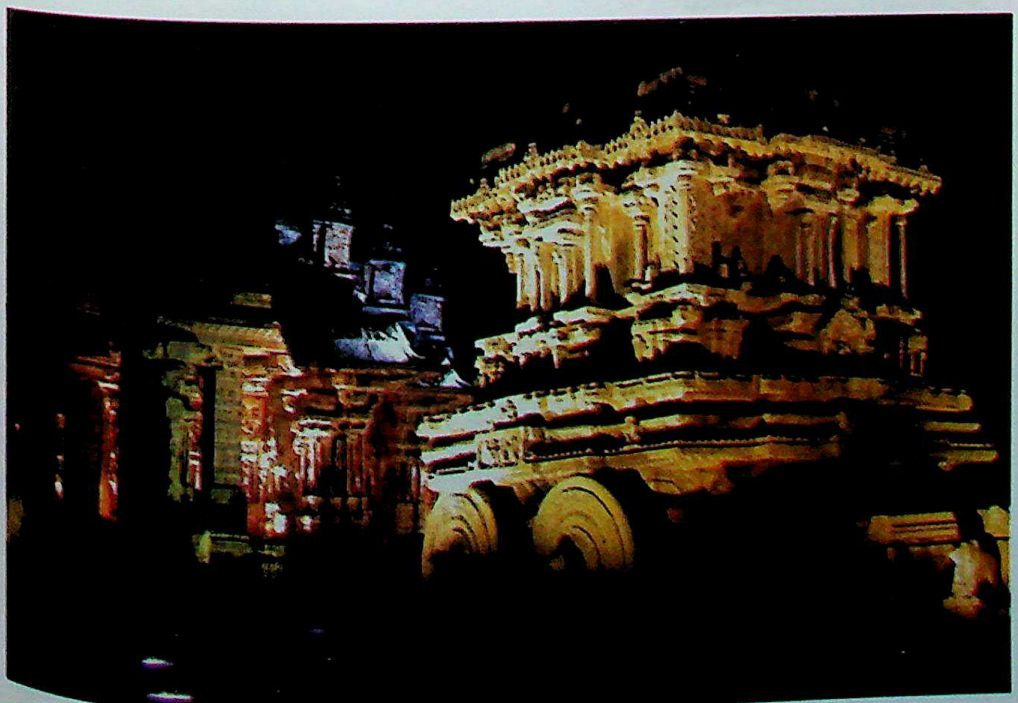
A part of the Mahabalipuram Complex after Restoration.
(See *pages* 463-464)



A section of Hampi after Restoration. (See *pages* 464-465)

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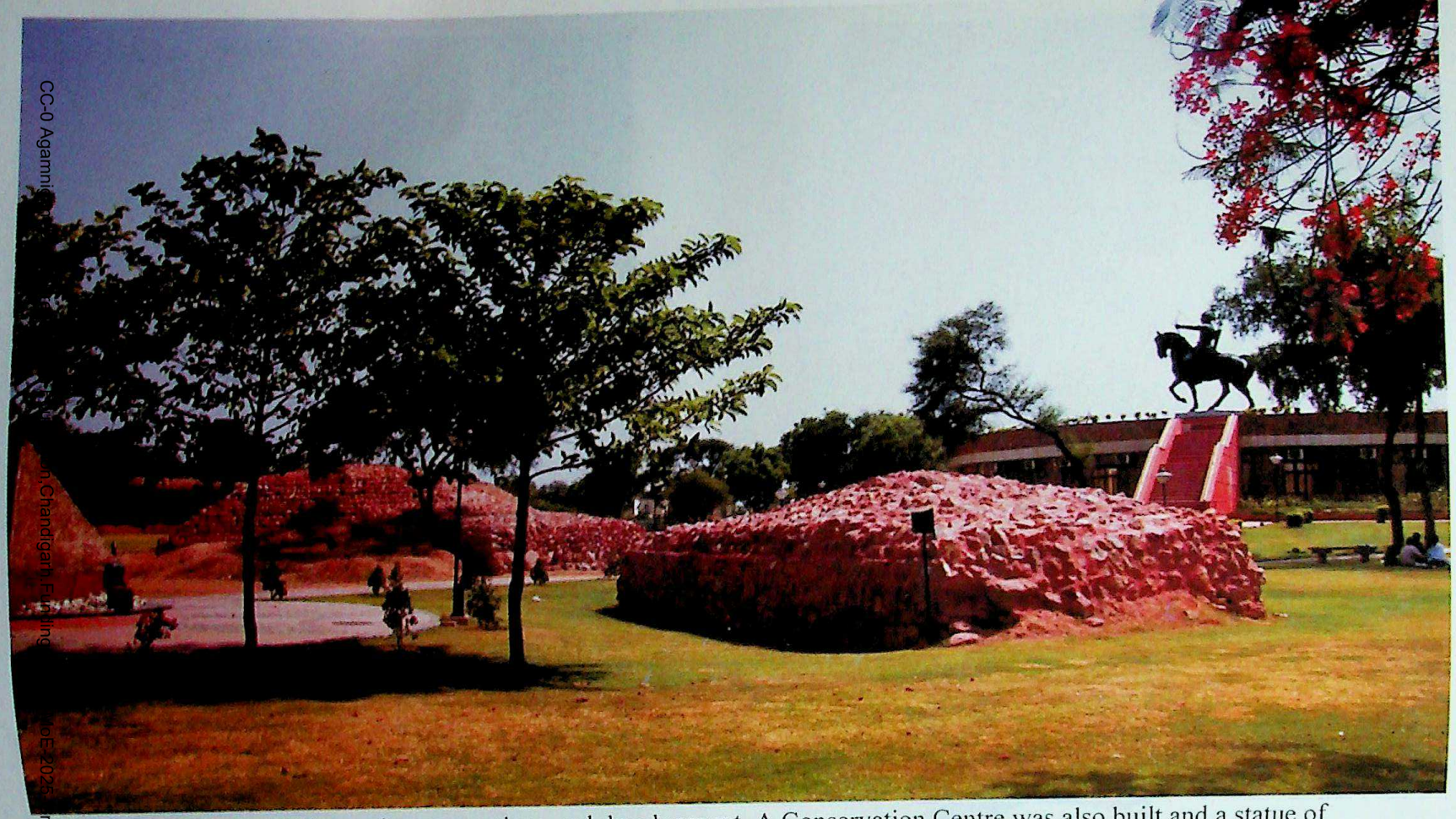

Qila Rai Pithora after excavations and development. A Conservation Centre was also built and a statue of Prithvi Raj Chauhan was installed. (See *pages* 462-463)

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After clearance of slums, the above would have been broadly the shape of the Great Green Walkways and their links with the Samadhis and the Red Fort greens.
(See section on Yamuna River Front, *page* 465-472)

After clearance of slums, the above would have been broadly the shape of the Great Green Walkways.
(See section on Yamuna River Front, *pages* 465-472)

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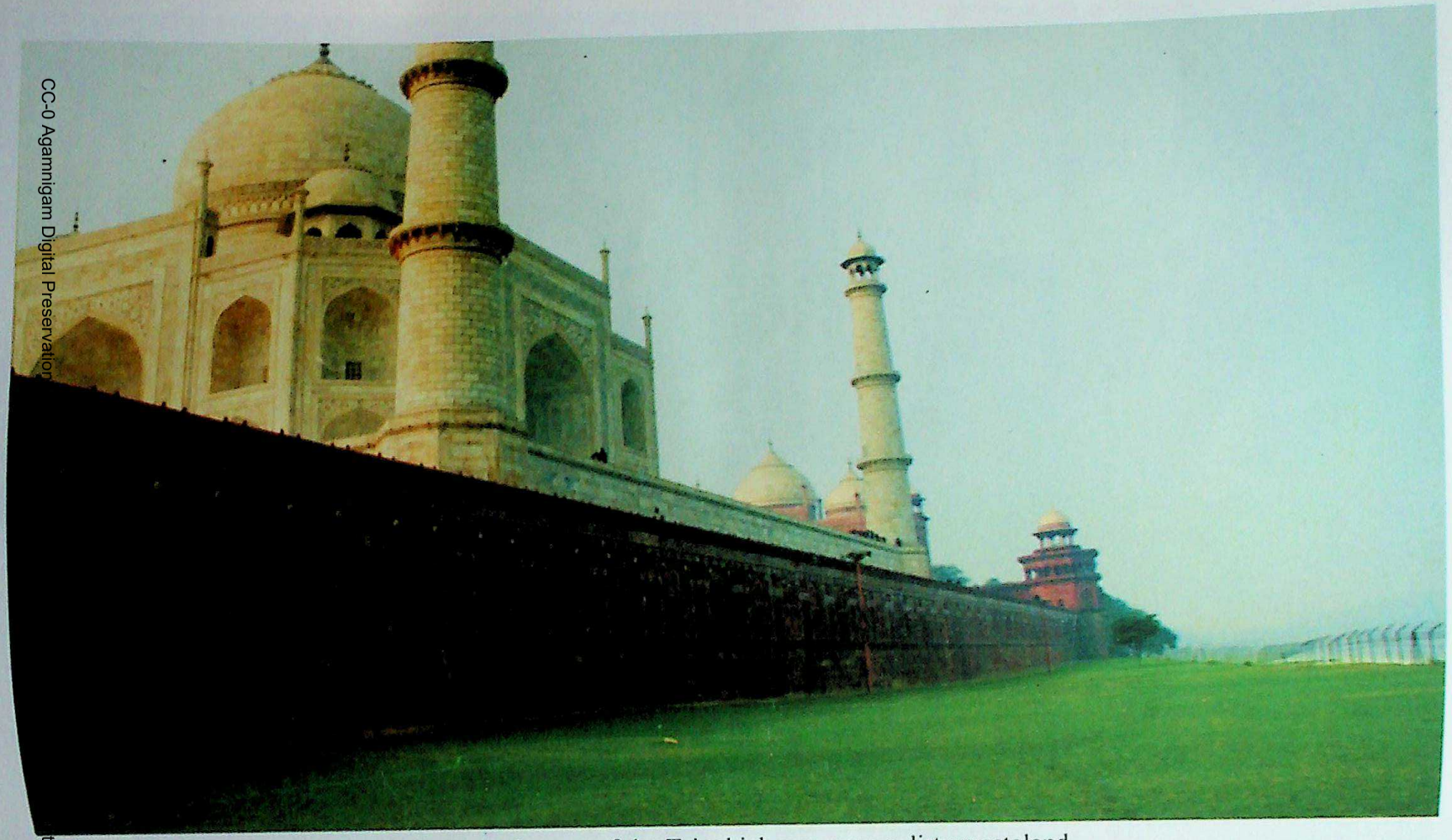

Green in the rear of the Taj which was once a dirty wasteland.
(See section on Taj Mahal and Paying Price, *pages* 472-474)

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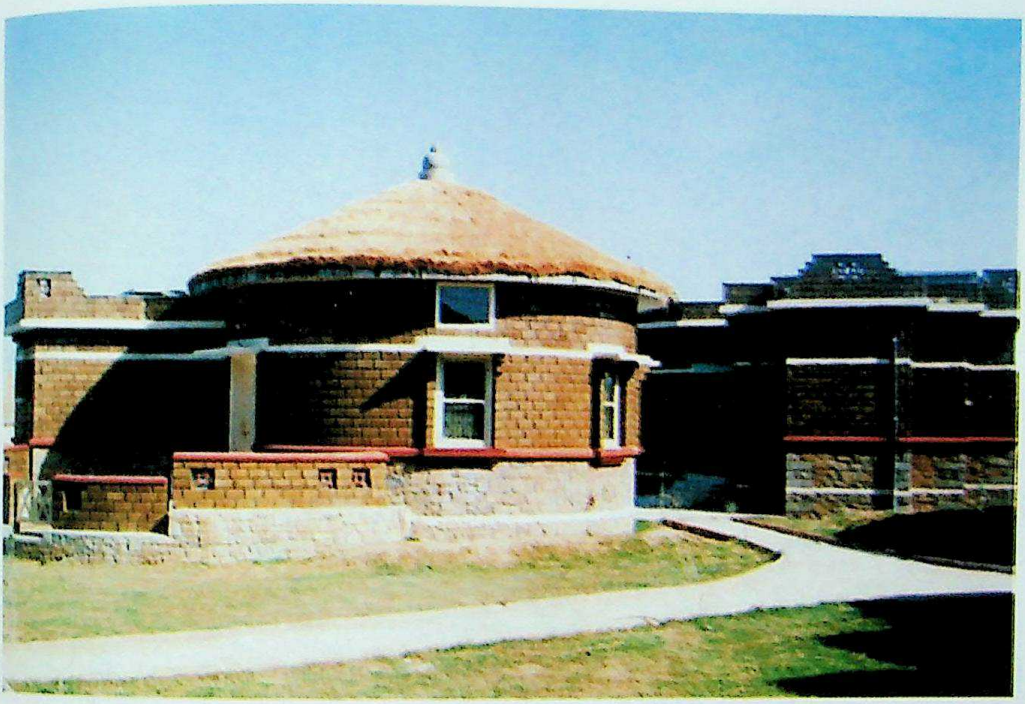

A section of Cultural-cum-Tourist Centre for researchers and tourists built near the excavated site at Dhola Vira.
(See section on Search for Lost Cities and A Lost River, *pages* 474-478)

A general model of the Cultural-cum-Tourist Centre, Dhola Vira, which was to come up near every excavated site.
(See section on Search for Lost Cities and A Lost River, *pages* 474-478)

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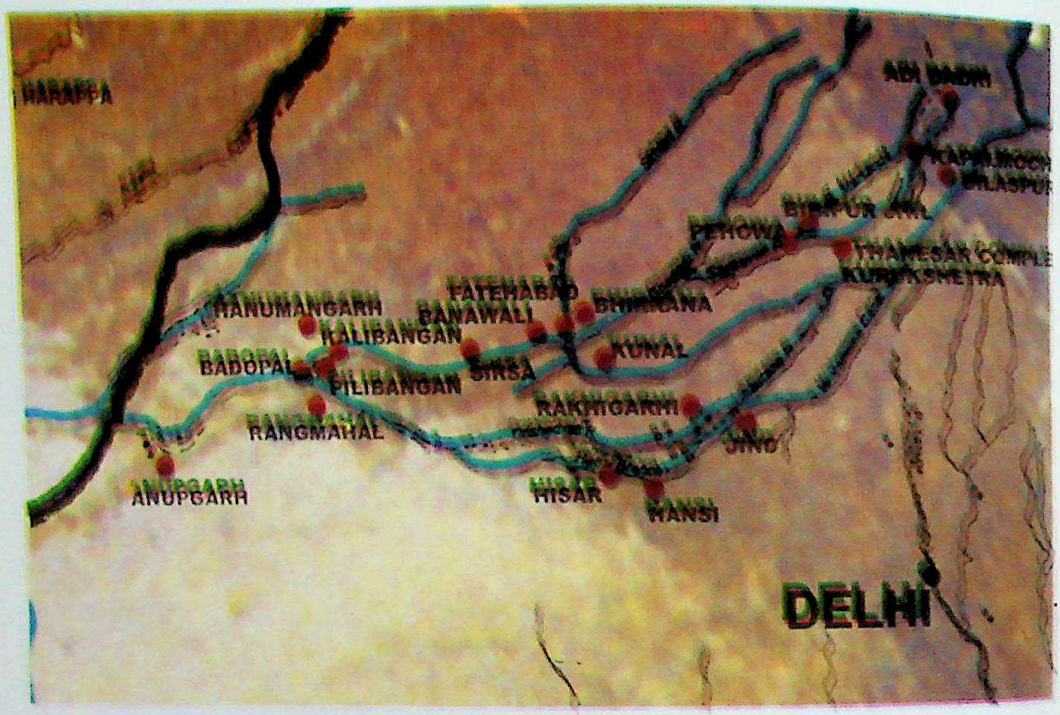

Urban settlements on Saraswati and other river systems identified for excavations. (See *pages* 474-478)

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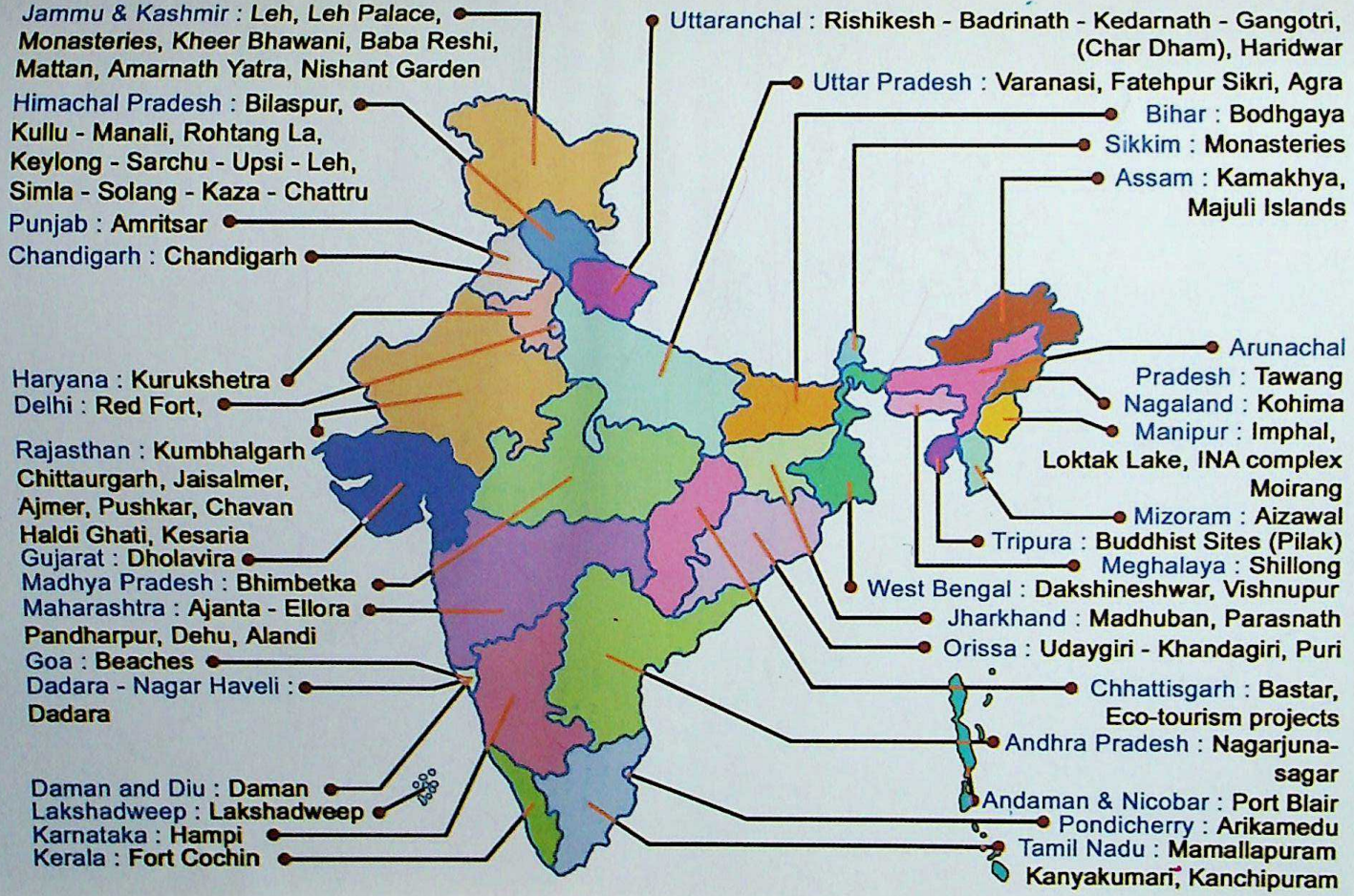
Excavated Northern Gate of Dhola Vira. (See *pages* 474-478)

Centres of Excellence



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Fort Kumbhalgarh : Restored (see Appendix)

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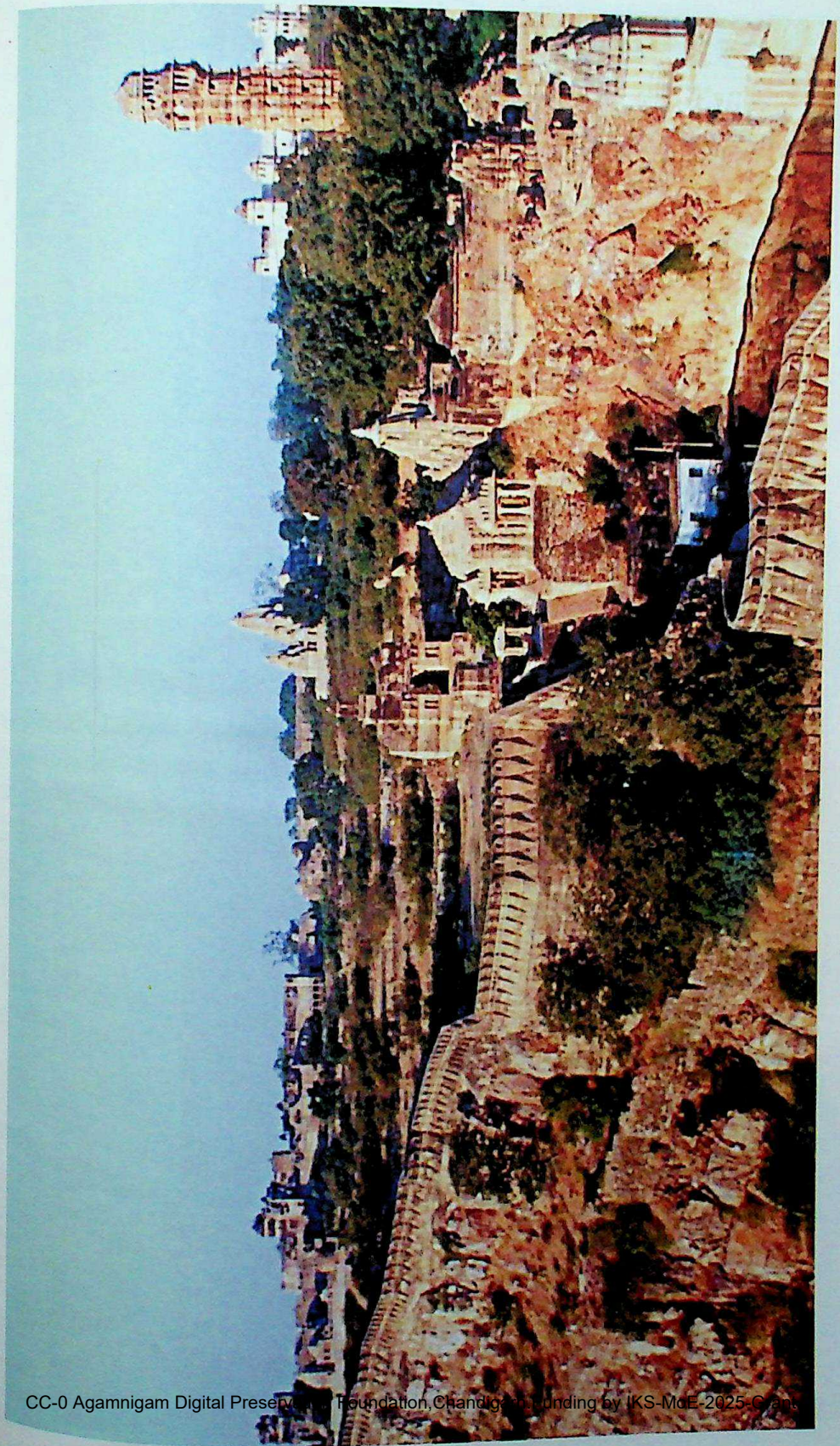

Fort Chittaurgarh : Restored (see Appendix)

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Haridwar : New Ghat (see Appendix)

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immediate vicinity of the monuments is being pedestrianised and ancient paths revived. Hampi Bazar, too, is being redeveloped.

All in all, by way of an imaginative restorative surgery, the greatness and grandeur of the 'Forgotten Empire' has been brought to surface and a great heritage of India put on the world map.

YAMUNA RIVER FRONT

The story of the Yamuna River Front constitutes one of the worst tragedies of Indian civic governance. It has many chapters, one sadder than the other. Here, I would confine myself to only one chapter of the story and refer to my last attempt to end this tragedy. It succeeded, partially. But, in a sense, it proved my Waterloo. In the process, I lost an opportunity to complete my most favourite plan.

Current Degeneration

It is a measure of our current social and cultural degeneration that the rivers whom we are expected to worship and from whose waters we are supposed to secure purification of our bodies and souls are today hardly distinguishable, particularly near our cities, from the poisonous gutters of sewers the very touch or smell of which is bound to infect us with one disease or the other. Our cultural tradition enjoins us to pray:

> O Holy Mother Ganges! O Yamuna!
> O Godavari! Saraswati! Narmada!
> Sindhu! Cauvery! May each of you be
> Pleased to be manifested in these waters
> In which I shall purify myself!

But what do we do these days? Most of us virtually say our prayers to the polluted waters emitted by our exploitative democracy and by a social system which is saturated with apathy and indifference on the one hand and casualness and corruption on the other.

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Backdrop

By and large, our cities these days are a mere conglomeration of people who show little concern about fate and future of their habitats. Whatever concern they have is restricted to a few denunciatory statements, mostly in private. There is no organised will on the part of the community to fight the predatory forces operating in the cities and vanquish them.

Delhi provides a typical example of this phenomenon. Its citizens could be divided into three broad categories. The first category comprises racketeers who brutalise the landscape to secure illegal gains, both pecuniary and political. In the second category, falls the rapidly vanishing tribe of cities' lovers and well-wishers. Even the few of them that remain lack courage. They do not assert themselves. The third category comprises the vast majority who remain totally indifferent. Consequently the racketeers and other political and commercial vested interests continue with their blatantly illegal activities with impunity.

For over thirty years, the above interests had created on the vast embankment of the river a huge net-work of illegal squatters.[16] In this net-work, they had made the petty officials of the police and local bodies fellow conspirators. Inaction on the part of the senior functionaries and the increasing disposition of Delhi's well-wishers to look the other way whetted the appetite of the wrongdoers. They built not only a large 'slaughter-house' wherein all our cherished civic and environmental values were daily butchered but also a massive 'warehouse of bonded voters'[17] which kept them in political power. Apart from factories, stores and sheds, about 62,000 *jhuggi-jhompris* had been put up on this embankment.

Plan: National Hub

I had all along been planning to rid the Yamuna River Front of all its slums and squatters and create on it a great New National Hub

[16]A good part of the land was parcelled out into factories, *kabari* stores, shops, cattle sheds etc.

[17]See chapter XII: Section titled 'Mindscape of Constitutional Authorities'.

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in which not only elements of culture, history, heritage, environment and clean civic life but also glorious strands of our past, healthy trends of our present and grand vision for our future were synthesized and woven into a cohesive pattern. This plan had been on my mind, no matter where I was and what job I held. Even my stay for six long years in the fascinating state of Jammu and Kashmir did not cool off my passionate attachment to certain Delhi projects like the Yamuna River Front.

When I took over as Urban Development Minister in June 1999, I thought I had got my life-time opportunity, particularly when, shortly afterwards, the *Yamuna Maily* case was taken up for consideration by the Supreme Court and it made my Ministry as a Nodal Agency for ensuring that local authorities removed polluting industries from Delhi and took measures to clean up Yamuna. I myself wrote an affidavit[18] and got it submitted through my Ministry to the Supreme Court. I also got deposited Rs.25 crore with the Slum Wing of the Municipal Corporation of Delhi to meet the cost of resettlement of squatters from the bank and bed of River Yamuna.

But my strides towards my goal were halted by change of my portfolio from Urban Development to Tourism and Culture. I was deeply dejected. Nevertheless, I strapped up my boots once again and started cutting another road to my destination. This was from the side of old city wall and Red Fort Complex about the transformation of which I have written in detail earlier in this chapter.

Courts' orders

Separately, after long drawn legal battles, both the Delhi High Court and the Supreme Court, ruled that all shacks, stores, sheds, factories and other encroachments should be removed from the embankments and beds of the river. The Division Bench of the

[18]For details, see chapter VII dealing with Yamuna Maily case and Polluting Industries' Closure case.

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Delhi High Court, while ordering[19] removal, within two months, of all encroachments from the embankments of the River, inter alia, observed: "What is required to be done in the present situation in this never ending drama of illegal encroachment in this capital city of our Republic? River Yamuna which is a major source of water has been polluted like never before. Yamuna bed and both the sides of the river have been encroached upon by unscrupulous persons with the connivance of the authorities."

Follow-up Action

Soon thereafter, I pressed the authorities concerned to comply with the High Court orders. But it had little effect. I then wrote to the Urban Development Minister as follows:

> There is a very important project of cleaning up of Yamuna River Front and developing a vast Green Complex in the area lying between the River Front, National Samadhis and Red Fort/City Wall. The complex includes Rajghat, Gandhi Darshan, Shantivan, Vijay Ghat, Salimgarh Fort, the rear of the Red Fort, Netaji Subhas Chandra Bose 'Dilli Chalo Park', and other important sites and historical places. Rarely one would find a complex in which so many national memorials, tourist spots and strands of ancient Indian culture are located. For this Complex, we have drawn up a prestigious project of great national importance. A lot of funds have already been spent and Rs.5 crore more have been allocated for further immediate development. But implementation of the project has been held up for want of action to clear the area of squatters. Even the Delhi High Court orders are being violated.

As a follow-up measure, I called a high-level meeting in which, besides the two Ministers of State, Urban Development and Home,

[19]This order was passed by High Court on March 3, 2003 and the removal of encroachments had to be done by May 3, 2003. But the removal was intentionally delayed.

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and their senior officers, Lt. Governor, Delhi, Vice-Chairman, Delhi Development Authority, and Commissioner, Municipal Corporation of Delhi, were present. I underlined the need for immediate clearance. I also told them that I had spoken to the Deputy Prime Minister and obtained his approval.

Potency of Negative Forces

But such is the potency of the negative forces working in our governance machinery that, despite clear orders of the Court and my strenuous efforts, the matter was intentionally dragged on and brought to the forefront only during the period of Parliamentary Elections of May 2004. Spanner after spanner were thrown in the wheel by a powerful person who occupied a top position in Delhi Government. It was, in brief, ensured that all the *jhuggi-jhompri-dwellers* not only of the Yamuna River Front but also of other areas of my constituency turned electorally[20] against me.

Heavy Price

I was made to pay a very heavy price to rid the Yamuna River Front of its abominations. Contrary to all earlier expectations and after being in Parliament for about fourteen years, I lost my seat. But the sad tale does not end here. It extends to scores of projects, which were in different stages of execution under the New Initiative Programme. I was deprived of an opportunity to complete them.

Suddenly, I found myself helpless. I wondered why men and moments had conspired against me and why in this case my Fate had not fulfilled what my Faith had willed.[21] I was sad – doubly so, because it was a small segment of the leaders of the National

[20]How this is done under a cunning strategy of creating "a coalition of illegalities" has been explained by me in chapter XII under the section, titled: 'Mindscape of Constitutional Authorities: Ignoring the Hard Crust of the Problem'.

[21]Reference here is to Sir Edward Lutyens' words which he pledged to his would-be-wife showing his intensity of vision as well as power of his faith. He "willed himself to be an architect, a great architect, and he believed insistently that he would be called upon to execute great designs".

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Democratic Alliance that took the decision to advance the date of elections by about six months. Had the elections been held, as scheduled, in October 2004, all my key projects would have been implemented, almost in toto, and a complete model of my blue-print, translated on the ground, would have been seen by the nation.

Green Walkway

If early elections had not upset my plans, I would have converted the cleared embankment into the longest Green Walkway of the country, which would have been linked, through green corridors along the boundaries of the Samadhis and 'foot-bridge' over the Ring Road, with the Delhi Chalo Park and August 15 Park in the rear and front of the Red Fort.

Extension of Rajpath to Yamuna River Front

I would have also executed, as an adjunct of the above plan, another favourite project of mine, which was connected with what is known as India Gate Canopy (Chhatri)/Gandhi Statue Controversy case. The controversy arose out of the proposal to install Gandhiji's statue under the canopy, where the statue of King George once stood. The controversy, hot as it always was, came to a boiling point in July 1997. At that time, I unfolded in my speech in the Lok Sabha an altogether different proposal which was, later on, also published in the form of newspaper article[22] in the Indian Express as well the Hindustan Times. This proposal was warmly applauded. The controversy about the statue died down. A vague sort of hope was entertained that one day my proposal would be executed on the ground.

Salient Features

To put the whole matter in perspective and explain the salient feature of the proposal, I can do no better than reproduce the aforesaid newspaper article which appeared under the title : *From*

[22]It was published in the Indian Express of August 14, 1997.

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Rajpath to the River Front Nothing But Green and which read as follows:

> During the last few days, former Prime Minister Chandra Shekhar raised the issue twice in the Lok Sabha at Zero Hour. He expressed the view – rather strongly - that the chhatri should be demolished and Gandhi's statue set up at the site.
>
> Chandra Shekhar's view is opposed, equally strongly, by a number of eminent architect, town-planners and art-critics. This opposition, I may make it clear, is not due to any lack of reverence for Gandhiji but due to the incompatibility of the site and its surroundings with Gandhiji's ideas and philosophy.
>
> I have an alternative proposal which, I think, will not only meet the approval of Parliament but also be accepted with enthusiasm by professionals and the nation as a whole. The proposal I have in view has the following main components:

- Extend Rajpath to the Yamuna river front. The only structure that comes in the way is the over 50-year-old National Stadium which could be reconstructed in or around the Nehru Stadium Complex. A vast green vista, stretching from Rashtrapati Bhawan to the river front, would come into being. It would be a visual delight in itself, besides creating an environment of peace, tranquility and dignity in the heart of the city.
- To add to the serenity of the complex, two underpasses would be constructed to take care of the north-south traffic.
- The new vista, though in line with Rajpath, would have an elevation towards the river front. Gandhiji's statue would be erected on a green mound at a level higher than Rashtrapati Bhawan, at a point a little east of the present location of the National Stadium. The higher level of Gandhiji's statue would symbolize India's cultural value of according pre-eminence to the spiritual power in comparison with the temporal power.

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- The green mound on which Gandhiji's statue would stand would be approached by a series of ascending concentric mounds, signifying Gandhiji's belief in always trying to move from the 'lower level of truth' to 'higher level of truth'.
- The proposed vista would meet the river front almost at a right angle, skirting the side of Purana Quila. At the meeting point, the charkha-shape landscape would be developed and a medium-sized dam constructed.
- The river front would extend, on its western side, up to Gandhiji's Samadhi in the north and to Kalindi Colony/ National Bypass in the south. In the vast green river front, expression could be given to various ideas of Gandhiji in the fields of religion, culture, economy and social reform.
- In the proposed green belt, suitable spaces would also be earmarked for other great social and cultural reformers like Swami Vivekananda and Sri Aurobindo.

Let us show some vision, some glimpses of the power of the Indian mind which was once our greatest treasure.

With shacks, stores and sheds gone from the Yamuna River Front, an opportunity to implement the above blueprint had opened up. Unfortunately, it came too late.

Saving Taj Mahal and Paying Price

Another significant matter which harmed me electorally but did me proud inwardly pertained to my stand of saving Taj Mahal from being damaged environmentally and even structurally by a highly ill-conceived project of the government of Uttar Pradesh, headed by Ms Mayawati. This project envisaged reclamation of about thirty hectares of land from the river Yamuna bed, in the area lying between Taj Mahal and Agra Fort, and use it for constructing a food and shopping plaza, amusement park, Appu Ghar, and other buildings.

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It was given out by the U.P. government that this project which attracted wide public attention in June-September, 2003, was a part of an overall scheme which had the approval of the Union Ministry of Environment and Planning Commission and on which 50% of the cost (Rs.600 crore) would be met from the central funds.

The project of interfering with the natural flow of river Yamuna and construction of buildings behind the Taj Mahal was inherently so unsound and environmentally so untenable that I doubted the correctness of the report published in The Times of India under the banner headline : O Taj! No one Knows, Who Cleared This. But response to my queries from the Uttar Pradesh government was vague. The reply of the Ministry of Environment, too, was not of much help; it would not go beyond saying that it had not sanctioned any such project. I, therefore, decided to go to Agra to find out the truth.

What I saw at the site was shocking beyond belief. There were scores of bulldozers, trucks and other machines inside the bed and a huge quantity of stones, clay and bricks had been stored nearby. I expressed my strong disapproval of what was going on to the local officials who accompanied me to the site. They could not give any satisfactory reply to my question as to how a massive development-cum-construction work could be undertaken in the area falling within the prohibited zone of the two "protected" monuments, Taj Mahal and Agra Fort, without obtaining specific approval of Archaeological Survey of India. All that they could say was that the entire matter was being handled at the State government level. I advised the State government and the Environment Ministry to get the work stopped. Simultaneously, the work[23] of restoration, improvement and development of greens in and around Taj Mahal which had been undertaken by me separately, was expedited.

[23]So far as area around Taj was concerned, my scheme envisaged development of nothing but green. See, for example, photographs of the area behind Taj which was earlier a dirty waste-land.

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At first, Ms Mayawati, Chief Minister, tried to play down her role in the decision of the State government in sanctioning the project, releasing Rs.17 crore and getting the work commenced without even calling competitive tenders. But, after a few days, she suddenly changed her stance, called a press conference and announced that she had demanded from the Prime Minister and Deputy Prime Minster that I should be removed from the Union Cabinet forthwith. The issue assumed the form of a serious national controversy, particularly because BJP and Ms. Mayawati's party, Bahujan Samaj, were coalition partners in the State government. I stuck to my stand. The controversy ultimately led to the fall of Ms. Mayawati government and abandonment of the project.

Thus the Taj Mahal, India's most famous monument, whom Rabindranath Tagore described as "a tear-drop on the face of eternity" was saved. Ms. Mayawati however, saw to it that in the Parliamentary elections held shortly afterwards, the followers of her party worked and voted against me. The intelligentsia, which had warmly applauded my stand during the period of the controversy, remained passive and did nothing to support me electorally, proving once again that in our country "the best lack all conviction and the worst are full of passionately intensity". This, in fact, is the tragedy of the Indian democracy.

Separately, in a case, M.C. Mehta Vs. Union of India which had been under consideration of the Supreme court since 1984[24] and in which a number of orders were passed by the Court from time to time, the issue relating to reclamation of land from the bed of Yamuna was also raised. The Court was incensed over what the U.P. government had done and ordered[25] CBI to probe into the case. This aspect of the case is still pending in the Supreme Court.

Search for Lost Cities and A Lost River

In chapter XI, in support of my propositions about the power of the Indian mind, I have, under head: 'Concrete Manifestations',

[24]Writ Petition (Civil) No. 13381/1984.

[25]Supreme Court's order of July 16, 2003 L.A. No. 387/2003 in Writ Petition 13381/1984.

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referred to evidence which refutes the theory of Aryan migration to India from Central Europe. I have therein cited evidence which supports the view that an indigenous Saraswati-Indus civilisation sprang up from the soil of India about 5000 years ago. This civilisation manifested itself in a number of urban settlements which came into being along the courses of the rivers, particularly Saraswati which is mentioned in the Vedas about 50 times and which till 1900 B.C. was a mighty river flowing from the Himalayan foothills in Punjab/Haryana to the Rann of Kutch in Gujarat and drained both Sutlej and Yamuna rivers.

Solid Evidence

The above evidence, for the details of which chapter XI may be seen, stands reinforced by solid evidence. This is what four eminent scientists – Yashpal, Baldev Sahai, R.K. Sood and D.P. Aggarwal – have said in their joint write-up on *Remote Sensing of the Lost Saraswati River*:

> The river Saraswati is said to have been a mightier river than even the Indus in the Vedic and Pre-Vedic times. Stein refers to the fact that in at least three passages in the Rigveda, the oldest surviving record in any Indo-European language, a river course has been mentioned which corresponds to the present Sarsuti (Saraswati) and Ghaggar. Nadistuti, the famous hymn, describes the Saraswati as flowing between the Yamuna in the east and Satudri (Satluj) in the west. Since none of the present rivers obviously fits in with this description, the appellation 'lost' Saraswati has often been applied to this once mighty historical river... During the period 4-5 millennia B.P. north-western Rajasthan was a much greener place with the Saraswati flowing through it. Some of the present rivers joined to make the Saraswati a mighty river which probably discharged into the sea (Rann of Kutch) through the Nara, without joining the Indus.

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Another eminent scholar of the subject, Jonathan Mark Kenoyer, in his book *Ancient Cities of Indus Valley Civilisation*, has observed:

> Due to sedimentation and tectonic movement, some water that would normally have flowed into the ancient Saraswati river system was captured by two adjacent rivers, the Sutlej river of the Indus system to the west and the Yamuna river of the Gangetic system to the east. ... Although sites such as Harappa continued to be inhabited, the economic infrastructure for long-distance trade to the south was irreparably damaged as many less fortunate settlements along the dry bed of the ancient Saraswati river were abandoned. The refugees were forced to develop new subsistence strategies or move to more stable agricultural regions.

There is yet another theory propounded by Oldhan and Rike which holds the view that since Yamuna had been changing its course repeatedly, it was, in all probability, feeding earlier the Saraswati river system.

It seems almost certain that Saraswati went dry, consequent to natural calamities and ecological changes, and the population that lived in the cities on the river bank moved eastward to the Gangetic plain. This is also reflected in the shift from Saraswati dominated Vedic literature to Ganga dominated Puranic literature.

It was against this background that I formulated a comprehensive plan for excavating, on an unprecedented scale, buried settlements from Adi-Badri in Haryana to Dhola Vira in Gujarat. About 1500 of such settlements have been identified. They exist in the shape of mounds. I thought that the excavation of prominent mounds[26]

[26]Pre-Harappan settlements have been found along the courses of Ghagar (ancient Saraswati) and Chautag (ancient Drishadvati). They include Banawali, Rakhigari, Kalibangan, Siswan and Sothi. Some of them have been extensively excavated and have shown very encouraging results. For example, excavations carried out at Banawali by R.S. Bisht on the right bank of now dry Saraswati, in district Hissar, Haryana, have revealed three-fold sequence of culture – pre-Harappan, Harappan and late Harappan. There is now no live stream but nearby there is a dry bed which is called Nadi, Nali or Rangoi by the local people.

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would yield clinching evidence to resolve several points of controversy pertaining to Saraswati-Indus civilisation and flow of various water channels in the entire span between Adi Badri and Dhola Vira.

Auxiliary Component

My plan had an auxiliary component, too. It envisaged setting up, near every excavated site, a Centre for culture and tourism. This centre was to comprise an archeological museum, a camp office, a documentation-cum-research unit, a set of huts for tourists and researchers and a large park and garden etc. The excavated material was to be exhibited in the archeological museum and the park and garden were intended to provide pleasant environment to the entire complex and also serve as a recreational spot for the people living in the nearby villages and towns.

As an illustration, I would take up the case of Dhola Vira where major excavations have been done and remarkable evidence collected. In this connection, the noted scholar of Archaeology, B.B. Lal has observed:

> There is little doubt that Dholvira has added substantially to our knowledge of the mature Harappan town-planning and architecture and has also provided a unique example of an inscription of those times.

The entire evidence collected from the site is being displayed at the Centre for Culture and Tourism the construction of which has already been completed. All modern facilities for holding seminars and conferences and showing slides on the screen have been provided at the said Centre. Elegant huts for tourists and researchers have also been built and elevating green spaces developed in and around them.

If imaginatively used, as was planned, the new Dhola Vira Complex would become an exciting centre not only for archaeologists, historians and other scholars but also for the general tourists who would be attracted to it by the great antiquity of the Indian civilisation and marvellous human settlements it created.

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Results

I had every hope that the project of *search for lost cities, a lost civilization and a lost river* would succeed and yield the expected results. If it did, it would have been pushed our antiquity further into the past, changed the very perspective of our heritage, put the theory of Aryan invasion for ever into the dustbin of history and generated a new wave of national pride and confidence. Even if it had not been fruitful from these points of view, the cultural-cum-tourist centres created thereunder would have attracted a large number of domestic and foreign tourists, besides providing much needed recreational facilities for the residents of the neighbouring towns and villages. A complete tourist circuit, covering all the centres and excavated sites would have come about, showing new faces of India's past, new initiatives of her present and new visions for her future. I intended to name it as *Travels Around Lost Cities, a Lost Civilization and a Lost River*.

Unfortunately, the vagaries of the Indian democracy and its governance apparatus had something else in store for me. I had to leave a few of my projects incomplete – projects which had emerged out of my heart and soul and whom I had nursed like my children.

Resume

I have given above brief particulars of a few typical cases of different categories from different regions of the country to show how works of great significance and magnitude could be performed by a governance machinery which was motivated by forces emerging from a kindered mind and soul and which had the disposition to be clear, creative and constructive in its approach. There were a large number of other cases of equal significance and magnitude. I have listed them in the Appendix. I am not giving their particulars, even briefly. My purpose here, as I have indicated earlier, is merely to provide short but strong evidence in support of the theory on which my blueprint for reform is based.

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Frozen Tears

My efforts in advancing a theory of governance and translating that theory in practice was undermined by the negative forces operating in our polity and administration. But I went on. Now that I am out of office, apprehensions about non-completion of my favourite projects, like Yamuna River Front and Search for Lost Cities and a Lost River, often haunt and deject me, and the following lines from an old poem of mine hang heavily on my mind:

For them, these pities
For them, these fears
To them I owe
My frozen tears.

But ultimately I console myself with the lines which I quoted at the beginning of this chapter:

Not fare well,
But fare forward, voyagers.

And also with the Gita's message, reflected by T. S. Eliot in the following lines:

But perhaps neither gain nor loss,
For us there is only trying,
The rest is not our business.

FUTURE – BLEAK OR ROSY

Now that I have given the historical perspective, analysed the current scene, presented a blueprint for reforms of the mind, soul and structure of governance in India, and also provided a glimpse of the manner in which this blueprint could be translated on the ground, a few broad strokes of the brush about the future scenario may be in order at the end of the book.

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Weak in fundamentals

I have indicated in sufficient details what India is and what she could or should be. I have also shown what her weaknesses are and where they lie embedded, and what a wide gap exists between her potential and the reality.

I have brought out, particularly in chapters VI, VII, VIII,XII and XIII, how at every level of the power structure of the state, at every pedestal of social life, at every rung of the cultural ladder, on every scale of ethical values, the post-1947 leadership has faltered, and faltered badly. Its superficiality has been truly of historic proportion. It proceeded to settle the great questions of the day with half-answers. It borrowed notions from foreign soils where they had emerged in different historical contexts and in different social milieu.

So possessed was the post-1947 leadership with half-baked ideas that it contented itself by giving to the nation an outward frame of democracy without taking any worthwhile measures to ensure that this frame rested on the foundations of a reawakened nobility and not on the piles of social and cultural garbage that she had gathered during a long period of decay and degeneration. The leadership took practically no action to sweep that garbage. It let it pollute the social and cultural mainstream of the nation. In turn, this mainstream poisoned its institutions of governance and destroyed their purity and potency.

For a while, Jawaharlal Nehru talked about India's 'mighty past' and her 'mightier future'. But soon thereafter, he and other leaders forgot all about them. *On the other hand, the window of reform and regeneration opened by the likes of Raja Ram Mohan Roy, Swami Vivekananda and Gandhi was virtually closed and the great signposts created by the power of Indian mind and nobility of the Indian soul, which I have sketched in chapter XI, were allowed to recede from public memory.* In practice, they gave hardly any thought to the great ideals of India's culture that could provide sparks for igniting a new fire in the Indian mind and make it worthy of conceiving and executing fundamental changes that the Indian state and society badly needed.

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On the other hand, they left the field open to regressive forces whose thinking and doings could only add further dirt to the already existing heaps of garbage.

Failure of Historical Imagination

In dealing with the basic issues and special problems of an ancient civilization whose glorious sunshine had been clouded by over 1000 years of degeneration, the post-1947 leadership of India betrayed a lamentable lack of historical imagination. It engaged itself with issues on the surface and ignored matters of far greater consequences. It did not understand that the cold legacy of the cloudy days had first to be done away with; that a new timber, a new building block, for the national edifice was required; and that "we – the people", as analysed in chapter XII, had to undergo a fundamental transformation.

During the debate on the adoption of the Indian Constitution, Dr. B.R. Ambedkar, in his concluding speech, commenting on India as an independent country, asked:

> ... What would happen to her independence? Will she maintain her independence or will she lose it again? This is the first thought that comes to my mind. It is not that India was never an independent country. The point is that she once lost the independence she had. Will she lose it a second time? It is this thought which makes me most anxious for the future. What perturbs me greatly is the fact that not only India has once before lost her independence, but she lost it by the infidelity and treachery of some of her own people. In the invasion of Sind by Mahommed-Bin-Kasim, the military commanders of King Dahar accepted bribes from the agents of Mahommed-Bin- Kasim and refused to fight on the side of their king. It was Jaichand who invited Mahommed Gohri to invade India and fight against Prithvi Raj and promised him the help of himself and the Solanki kings. When Shivaji was fighting for the liberation of Hindus, the other Maratha noblemen and the Rajput Kings were fighting the battle on the side of Mughal Emperors. When the British were trying

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> to destroy the Sikh Rulers, Gulab Singh, their principal commander sat silent and did not help to save the Sikh kingdom. ... Will history repeat itself? It is this thought which fills me with anxiety. This anxiety is deepened by the realisation of the fact that in addition to our old enemies in the form of castes and creeds we are going to have many political parties with diverse and opposing political creeds. Will Indians place the country above their creed or will they place creed above country? I do not know. But this much is certain that if the parties place creed above country, our independence will be put in jeopardy a second time and probably be lost for ever ...

These noble and insightful apprehensions, expressed by one of the greatest intellectuals of the times were virtually ignored by the post-1947 leadership of India. It did not address to itself a simple question: What were the elements that led the people and their leaders in the past to place creed, caste and personal ends above the country? Had it done so, it would have found that the answer lay in the degraded soul of India's degenerated past and the primary task before the nation was to relieve this soul of its degradation and restore it to its original purity.

Let alone undertaking the above task, the leadership did not even look at it in depth. It turned its gaze to the comparatively simpler tasks of building a constitutional machine and setting up modern institutions, forgetting that a healthy soul-force was required to propel that machine in the right direction and operate these institutions with clean hands. It failed, at the most crucial turning point of India's history, to create a moral earnestness in the nation and establish an ethical state as spelt out in chapter XII as item number six of the reform agenda.

This failure, I may make it clear, is not confined to political leadership alone. In the intellectual, cultural, social and religious spheres, too, there have been notable failures. The post-1947 period, for example, has not produced any intellectual giant who could churn the Indian society, capture its imagination and create an urge in it for reform and regeneration.

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Infections in the Roots

Consequently, the basic building blocks of the national edifice remain unchanged. The infirmities which had brought the nation to grief earlier and to which Dr. Ambedkar had referred in his speech, quoted above, have persisted in one form or the other; rather, the divisions of caste and creed are being daily deepened by manipulative politics and wider fragmentation is being caused by a wholly unprincipled search for power. *The leadership is giving little attention to Santayana's sane advice: "Those who do not recall the past are condemned to relive it." Sometimes history repeats itself dramatically; at other times, this repetition occurs beneath the surface, imperceptibly, and takes everybody by surprise when the crunch comes.*

The cardinal lapse which the post-1947 leadership committed, and is still committing, is that it is not understanding the futility of its attempt to create a healthy system of governance out of an unhealthy mind, a secular state out of non-secular ethos and a meaningful framework of democracy with an exploitable citizenry as its base. It is refusing to take serious note of the infections in the social and cultural roots of the nation, remove them and cure the chronic maladies that these infections have caused in the system. Instead, the leadership is increasingly becoming a prisoner of nihilist forces which are sucking the country into a new cockpit of democratic anarchy, notwithstanding its current encouraging rate of economic growth[27], its stride in science and technology and its high status as a knowledge power.

[27]The picture on the surface looks to be rather enigmatic. India today is the 11th largest economy of the world; yet it has the largest number of poor people – one-third of its population of one billion – living in it. Its godowns are full of surplus foodgrains that it produces; yet millions go to bed hungry and thousands of farmers commit suicide every year due to economic distress. The metropolitan cities like Delhi and Mumbai have lakhs of luxury cars on the roads; yet more than half of their population live in the black-holes of slums and scores of beggars and lepers throng their traffic-crossings. India has an annual enrollment of 3.2 million science students in its 250 universities and has third largest pool of scientists and technologists in the world. Yet about 40 per cent of its adult population is totally illiterate.

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Three Opportunities

The Indian leadership had particularly three reasonably good opportunities of putting the country in the right orbit and of taking measures to shake the society out of its stagnancy, weed out the obscurantist and parochial forces and provide healthy social and cultural roots to its institutions of governance. The first opportunity came in early fifties when Jawaharlal Nehru was fully in command and could have laid, drawing inspiration from the mighty past, the firm foundation for a mightier future. He could have upset the apple cart of negative forces and shown a clear path to reforms and regeneration. The assets of the ancient past could have been enriched and its liabilities swept away. The position of Indira Gandhi's leadership in 1971, after the Bangladesh War, and that of Rajiv Gandhi, after the Lok Sabha Elections of 1984-85, was not as strong as that of Nehru. But it was strong enough to facilitate implementation of basic reforms. Unfortunately, all the three opportunities passed us by. The other governments were either too weak or too fragmented.

Could this long neglected task of social and cultural regeneration and of building of a strong nation on the foundations of that regeneration be performed now? Undoubtedly, the task has become far more formidable than it was the case earlier. India of 2005 is far more complex, far more corrupt, far more chaotic, far more politically fragmented and far more beset by terror and subversion than India of 1950 or 1971 or 1985. The fall-out of globalisation has added its own problems; may be, of colonialism in another form. Clearly, the leadership of much higher courage, calibre and commitment is now needed.

The Only Right Course

As India stands today, three courses for the future are open to her. She could put herself in a deeper trap of divisive forces and expose herself to a more serious risk of getting disintegrated. Or she may continue to live, like other Third World countries, with her contrasts and contradictions and with illusions of progress that shallow materialism

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often causes. The third course – the only right one – open to her is to follow the blueprint of reforms sketched by me in chapters XI, XII, and XIII and the practical manifestations of which have been briefly indicated in this chapter. If she does so, she could effectuate one of most humane, enlightened and elevating systems of governance in the world, reflecting best the power of her mind, the purity of her soul and potency of her new institutions.

New Civilisation

This pattern of governance, I have little doubt, would, in due course, create a new kind of civilisation, based upon the regenerated nobility of ancient Indian temper and upon her fundamental beliefs in the ideals of the Karmayogi, non-acquisitiveness and interpenetrative relationship amongst all elements of existence. It was this type of civilisation which great thinkers of modern times like Arnold Toynbee had in view when they opined that the only way of salvation of mankind was the Indian way. Toynbee had underlined: "Here we have the attitude and the spirit that can make it possible for the human race to grow together into a single family".

By following the above blueprint, India could thus not only put her own house in order and place it on a high pedestal but also serve as a model-civilisation from the fabric of which other countries, particularly the powerful ones like the United States, could draw quite a few beautiful threads and help in improving the overall lot of the fast emerging global family.

Circle of Interdependence

As brought out in chapter IX, in the present-day world, where the circle of interdependence is fast increasing, pattern of governance in every developing country is influenced by a small group of powerful developed countries headed by the United States which, unquestionably, is the world's greatest power today. Its Gross Domestic Production is thirty times more than Russia's. It spends as much on its military as next six largest spenders combined, viz Russia, China, Japan, Britain, France and Germany. Its decisions

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largely determine whether the overall quality of environment in the world would improve or deteriorate; and whether global warming would occur, resulting in obliteration of large coastal areas of the developing countries and consequent forced migration and chaos.

Without improvement in the attitude of the United States, governance in the developing countries cannot, therefore, be improved substantially and speedily. Could India play a meaningful role in bringing about the desired improvement? In my opinion, she could, provided she genuinely attempts to work out the model of governance and civilisation to which I have made reference above. India's words would have impact if she herself practices what she tells others to do.

In 1915, President Woodrow Wilson made the following significant observations in his speech delivered after administering oath of allegiance to American citizens of foreign birth:

> You have taken an oath of allegiance to a great deal, to a great body of principles, to a great hope of the human race... My urgent advice to you would be, not only always to think first of America, but always, also, to think first of humanity. You do not love humanity if you seek to divide humanity into jealous camps. Humanity can be welded together only by love, by sympathy, by justice, not by jealousy and hatred. I am sorry for the man who seeks to make personal capital out of the passions of his fellow-men. He has lost the touch and ideal of America. For America was created to unite mankind... If I have in any degree forgotten what America was intended for, I will thank God if you will remind me.

By virtue of ancient India's civilisational values which had elicited reverential response from American poets, philosophers and father figures like Ralph W. Emerson, Walt Whitman and Henry David Thoreau and commonalty of some of their ethos, India appears to be in the best position to remind United States to "think first of humanity" and work more earnestly for creating a balanced, equitable and just world order which would set in motion economic

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and social forces that would facilitate the task of struggling countries like India to counter negative effects of external factors and build a fair and sound system of governance.

Below the Statue of Liberty, Ellis Island, near New York, is engraved Emma Lazarus' famous poem, titled : *The New Colossus*. This poem says:

> Not like the brazen giant of Greek fame,
> With conquering limbs astride from land to land;
> Here at our sea-washed, sunset gates shall stand
> A mighty woman with a torch, whose flame
> Is the imprisoned lightning, and her name
> Mother of Exiles. From her beacon-hand
> Glows world-wide welcome; her mild eyes command
> The air-bridged harbor that twin cities frame.
> "Keep ancient lands, your storied pomp!" cries she
> With silent lips, "Give me your tired, your poor,
> Your huddled masses yearning to breathe free,
> The wretched refuse of your teeming shore,
> Send these, the homeless, tempest-tost to me
> I lift my lamp beside the golden door!"

Clearly, on account of the changed international circumstances, particularly the serious threats posed by mega-terrorism, it is not possible for the United States to accept even a few "tempest-tost" people. *But she could certainly extend her "beacon-hand" to "the wretched refuse" and create warmth on the shores at the other end and make life for the "tired, poor and huddled masses" less "nasty and brutish" in this decade and more prosperous and productive thereafter.*

Power, however, has its own problems. Once tasted, it is difficult to get rid of its addiction. Its intoxication, moreover, blurs the vision and makes the holder lose his/her moorings. If India recaptures her own moral earnestness, as elaborated in chapters XII & XIII, she would be in better position to persuade United States to recover her poise and move in the direction of materialising on the ground President Woodrow Wilson's faith in "uniting mankind" and Emma Lazarus' idea of America serving as a mighty woman, with a torch, whose "mild-eyes

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command" could be instrumental in bringing about a new world society. More than six decades ago, it may be recalled, Wendell Willkie[28] had argued with much applause from the American public and American President : "Our thinking must be worldwide ... We are offered the most challenging opportunity of all history: the chance to help create a new society in which men and women the world around can live and grow invigorated..." All such thinking need to be recapitulated.

This is the main reason why my agenda for reforms does not omit consideration of external factors and forces and includes an item to help America spot the seeds hidden in some uncared for corners of her soul and reset them in its centre and grow on these seeds a fruitful harvest of global fairness without which a truly just and effective governance cannot be fully established in the foreseeable future in a country like India.

Portents and Potential

In the Preface, after quoting W. E. Channing, I have in the opening paragraph, made a brief comment which the reader may do well to recall here. These comments stand reinforced by what I have written and reflected upon in this book. I am convinced more than ever before that if India is not soon visited by a "season for inward and outward revolution" and if she does not "attain her highest wisdom by daring", only a bleak future awaits her and she would waste her potential of creating an elevating design for life.

Thick clouds with turbulence and torrents tucked in their bosoms are already hovering over her skies. They could burst any time, causing a terrible deluge, sweeping even whatever little remains of her distinct personality. But these clouds could scatter if winds of reforms and regeneration, the blueprint of which has been set out in the book, begin to blow through them. A beautiful sunshine

[28]Wendell Willkie was an eminent humanist and thinker of the mid-twentieth century. After a world-wide tour and discussions with top leaders of the international community, he wrote a famous report: *One World*.

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could emerge, bringing warmth and cheer and also faith in the high and splendid destiny of India.

The task of implementing the blueprint is a formidable one. It would be extremely difficult to first dig the foundational planks for a rekindled mind, a reawakened soul and a set of revitalized institutions and then build on them an ethical state and an ethical machinery of governance. It would call for courage, commitment, insight, historical perspective and creative and constructive powers of the highest order – the order to which post-1947 leadership has so far come nowhere near. Today, a truly historic challenge stares us in the face.

Verdict of History

Let history not condemn us. Let us not be written about as unworthy people who did not have the perception to see the challenge, or having seen it, did not know how to tackle it. Let it not be said that we were hollow men and women who were made of poor clay, who nursed shallowness like a treasure, who made only pompous declarations, who betrayed a great heritage, who invariably opted for soft options and left dangerous infections in the roots unattended. Let it, on the other hand, be recorded that we were aware of our potential and strained every nerve to use it to the full. The worst verdict of history could be that we did not even attempt to set our fundamentals right and solve problems of far reaching consequences for our future.

Hope

Future, it is said, can be seen only with the eyes of God. But if one believes that God is nothing but a Great Spirit that permeates the cosmic web in which every item is inextricably woven with the other, and if one scans the web's past and present with passionate objectivity and on the basis of practical experience, one can come to a fairly accurate assessment about the direction in which the web is tilting. Warning

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signals could be hoisted and remedial measures suggested. This is what I have attempted[29] *to do in the book.*

I have, in the background of history and contemporary events, both national and international, shown to the nation the superficiality of its current attitudes and approach and suggested a blueprint of thought and action, hoping that it would capture the imagination of the public in general and leadership in particular and create in them an irresistible urge to build a model of governance and a pattern of civilisation which could indicate not only to India but also to the rest of the world a way of shedding illusions, getting rid of mindless materialism and ruthless exploitation of man by man, and moving literally from darkness to light and from oppressive uncertainty to a clear and confident future.

[29]See Preface also.

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APPENDIX

In Chapter XIV, I have given a brief description of a few typical cases to illustrate what salutary results could be achieved by a machinery of Governance which adopts the blueprint, unfolded in this book, as its guiding star. There were many other projects which were taken up with similar approach, under the New Initiative Programme[1], and transformed into *Centres of Excellence* (see Map). In this Appendix, brief particulars of a few of these projects are being given with a view to bringing home the scale on which the work was undertaken and accomplished, wholly or substantially, in a short time.

Chittaurgarh

Looking at Chittaurgarh in the backdrop of its saga of heroism and sacrifice, Col. James Todd, in his celebrated book, *Annals and Antiquities of Rajasthan*, wrote: "*I gazed until the Sun's last beam fell on the ringlet of Chittor, illuminating its grey and grief worn aspects, like a lambent gleam lighting up the face of sorrow.*"

With its battle-scarred ramparts and blood-soaked soil, the huge complex of Chittaurgarh, spanning over 700 acres, is replete with monuments, each one with its own story to narrate, a story that inspires as well as pains.

While *Vijaya Stambha* speaks to us of its great triumph of Rana Kumbha over the combined forces of neighbouring kings, the Padmini Chamber fills us with gloomy pride and reminds us of the heroic deeds of one of the most beautiful queens of the time, who preferred death to dishonour and, true to the Rajput tradition, committed *Jauhar* along with hundreds of her maids and attendants.

[1]See section: Action on the Ground; and section: New Initiative Programme in chapter XIV.

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Meera Temple tells us how a sense of sublime can be attained through selfless devotion and how our sweetest songs are those that tell us of our saddest thoughts.

Today, after having received a great restorative push, under the New Initiative, it once again stands erect with all its strength and stature, defying both the sandstorms of misfortune and bouts of wantonness.

Kumbhalgarh

Kumbhalgarh Fort is a telling example of how some of the *finest jewels of Indian heritage* have remained wrapped in obscurity for a long time. Till recently, few knew about the existence of this unbelievably imposing Fort which has been the *Eye of Mewar* and which has been described as the *work of giants rather than of men* and whose walls, in width, are second only to the world-famous *Wall of China* and can accommodate at a time 7 horses trodding abreast.

The antiquity of Kumbhalgarh goes back to the time of Samprati, grandson of Ashoka. Located on the pinnacle of world's most ancient rock, its great potential for defensive warfare was recognised by the Mewar ruler, Rana Kumbha, in the 15th century, who started building the Fort in its present form. In course of time, it became 'a lethal weapon against the assaults of the rulers of Delhi, Malwa and Gaujarat'.

With its 35 kilometres long wall, 700 bunkers, 8 massive gates fitted with spikes and 'tier above tier' of battlement, rising to the summit, today it stands as a glorious symbol of the Rajputs' indomitable courage and inflexible will. Its historic importance is enhanced by being the birthplace of the legendary hero, Maharana Pratap, and also by the location of scores of beautiful temples in its complex, such as Neelkanth, Namdeo, Ganesha and Yaga Vedi.

This massive Fort has undergone restoration under a Plan conceived in the background of its hoary past. Today, it stands with all its majesty and magnificence, inviting visitors to hear its

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countless tales of triumph and tragedy, defiance and defection, chivalry and chicanery, valour and treachery.

Kanyakumari

While Kashmir in the north is the Crown of Mother India, Kanyakumari is her Lotus Feet which is reverentially washed by the holy waters at the confluence of three seas – Bay of Bengal, Indian Ocean and the Arabian Sea. Its sanctity is associated with the legend of the Virgin Goddess Parvati.

Kanyakumari shot into further fame when Swami Vivekananda swam the sea to the nearby rock on which a Rock Memorial has now been built. Swami Vivekananda mediated deeply at this rock before leaving to attend the World's Parliament of Religions where he made the world aware of the great spiritual heritage of India and her eternal message of universal brotherhood and tolerance.

Under the New Initiative, a number of improvement schemes have been launched. Both the temple and the rock are lighted at night. The complex now wears the look of a spiritual lighthouse.

The other projects of this nature are : Somnath and Modhera in Gujarat; Ajmer-Sharief and Pushkar in Rajasthan; Bhimbetka, Khajuraho, Gwalior and Shivpuri in Madhya Pradesh; Pandharpur and Sindhu Durg in Maharashtra; Chitradurga in Karnataka; Kanchipuram in Tamil Nadu; Nagarjuna Konda in Andhra Pradesh; Rishikesh, Haridwar, Badrinath and Hemkunt in Uttaranchal; Keylong and Kaza in Himachal Pradesh; Varanasi and Agra in Uttar Pradesh; Amritsar in Punjab; Bodhgaya, Nalanda and Vaishali in Bihar; Majuli Islands in Assam; Dakshineshwar, Sharda Math and Bishnupur in West Bengal; Udaigiri, Konarak and Puri in Orissa; Ranakpur, Tijara, Adi Nath, Mahavirji, and Amer in Rajasthan; Udasin, Ashram in Madhya Pradesh; Chandprabha and Kumbhariaji in Gujarat; Bahubali Kshetra in Maharashtra; Pushpanath Digambar Jain Temple in Tamil Nadu; Jain Samaj Vanasthali in Punjab and Jain Temple in Karnataka.

Special yatras were also initiated with a view to providing avenue for cultural awakening. These yatras included the Gandhi Yatra

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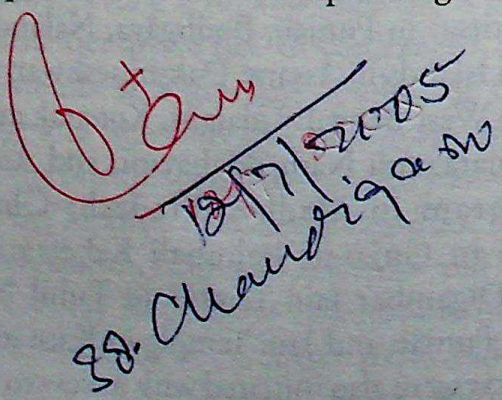
from Porbandar to Rajghat; Vivekananda Yatra from Kolkata to Kanyakumari; Sankara Yatra from Kaladi to Kashmir; Pandharpur Yatra covering Alandi, Dehu, Vakhari, Saswad, etc.; and Ganga-Himalayan Yatra from Haridwar, Rishikesh, Dev Prayag, Rudra Prayag, Joshi Math, Govind Ghat (including route to Hemkunt), Badrinath.

All the projects mentioned in chapter XIV and this Appendix now serve multiple objectives. They, *inter alia*, act as a source of inspiration to our countrymen but also provide to our tourists opportunities for physical refreshment, mental rejuvenation, cultural enrichment and spiritual elevation and for taking a part of India within them on return to their country. Consequently, the number of domestic tourists has increased by three crores in one year – year 2003. The foreign exchange earnings have increased in one year by Rs.3200 crores. All previous records have been broken by a vast margin and India has been categorised amongst the top five Destinations for Individual Travellers by 'Lonely Planet' and also amongst the top ten Preferred Destinations for International Travellers by 'Conde Nast Travellers'. The entire Travel and Tourism Industry has been galvanised and the Tourism environment has been infused with new dynamism and new foresight. It is now looking to the future with great confidence and sense of mission. The latest data shows a still higher upward swing and in terms of foreign exchange earnings, in March, 2004, the increase has been phenomenal – 39 per cent over the corresponding month of 2003.



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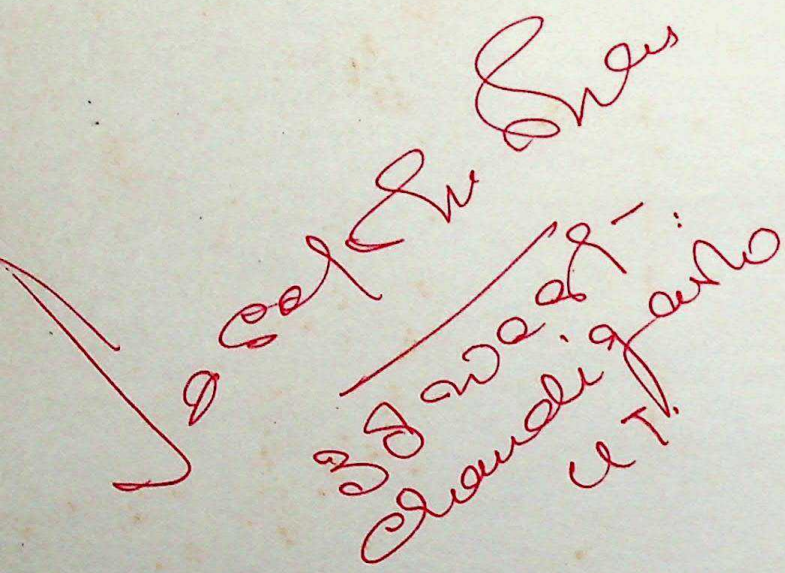

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About

Shri Jagmohan is a truly many-s
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with an unmatched passion, for c
governance by fair, just and effecti
well- known. So is his capacity to s
earned a justifiable reputation for pr

Shri Jagmohan was the youngest Li
who held this prestigious office for tv
had the unique distinction of succes
Non-Aligned Conference (1982-83).
number of key assignments, includin
Authority for over seven years, and

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the President of India. He was awa
contribution to the formulation and i
for playing a pioneering role in plan
also awarded the *Padma Bhushan*
the country". He was conferred the
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Nations Conferences on 'Human S
Shri Jagmohan's published work in
and journals and four books : *Reb
Delhi; Island of Truth; The Challeng
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into many regional languages of In

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under the title '*Challenges of Our*

Shri Jagmohan has held the office
He also formulated and carried ou
Shrine. A household name in the
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and a half years. He held charge of
Urban Development, Poverty Alle
and Culture.

Comments on *My Frozen Turbulence in Kashmir*:

"...It is a brilliant work, written with verve which derives its power from (the author's) addiction to truth ..."

–Mulk Raj Anand

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–K.R. Sunder Rajan in *Pioneer*

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Shri Jagmohan is certainly one of the topmost Civil Servants cum Statesmen that the country has produced in the post-Independence period. He is the only person who has held the office of Lt. Governor of Delhi twice, of Governor of Jammu and Kashmir twice and was nationally honoured twice by the award of *Padma Shri* and *Padma Bhushan*. He has also been a distinguished Member of Parliament for fourteen years and a Union Cabinet Minister for five and a half years, holding charge of such significant portfolios as Communication, Urban Development, Poverty Alleviation, Culture and Tourism. Throughout his long career, he has been a model of clean public life and efficient and effective governance.

A profound scholar and thinker, Shri Jagmohan has published over 300 articles in leading newspapers and journals and four books: *Rebuilding Shahjahanabad: The Walled City of Delhi; Island of Truth; The Challenge of Our Cities; and My Frozen Turbulence in Kashmir*. The book on Shahjahanabad brought him a cultural award from the Australian Government; *The Challenge of Our Cities* became a classic of India's urban life; and *My Frozen Turbulence in Kashmir* has remained on the bestselling list for a long time. It has already seen six editions in English. It has also been translated in many regional languages of India. Shri Jagmohan was conferred the degree of Doctorate of Philosophy by Guru Nanak University, Amritsar, as well as by Kurukshetra University. A household name in India, he formulated and carried out the historic reforms of the Mata Vaishno Devi Shrine.

Comments by eminent persons on *My Frozen Turbulence in Kashmir*:

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